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LEGISLATIVE HISTORY
Public Law 85-443
H. R. 8490

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Index and summary of H. R. 8490

Feb. 11, 1957	Rep. Thompson, Tex., introduced H. R. 4709 which was referred to the House Agriculture Committee. Print of bill as introduced.
July 1, 1957	House subcommittee ordered H. R. 4709 reported with amendments. Rep. Thompson, Tex., introduced H. R. 8490 which was referred to the House Agriculture Committee. Print of bill as introduced.
Aug. 2, 1957	House committee ordered H. R. 8490 reported with amendment.
Aug. 22, 1957	House committee reported H. R. 8490 without amendment. H. Report No. 1236. Print of bill and report.
Aug. 28, 1957	House passed over H. R. 8490 at the request of Rep. Byrnes, Wis.
Aug. 29, 1957	House passed H. R. 8490 without amendment.
Aug. 30, 1957	H. R. 8490 was referred to the Senate Agriculture and Forestry Committee. Print of bill as referred.
May 14, 1958	Senate committee ordered H. R. 8490 reported with amendment.
May 15, 1958	Senate committee reported H. R. 8490 with amendments. S. Report No. 1585. Print of bill and report.
May 21, 1958	Senate passed H. R. 8490 as reported.
May 23, 1958	House concurred in Senate amendments to H. R. 8490.
June 4, 1958	Approved: Public Law 85-443.

DIGEST OF PUBLIC LAW 85-443

REVISIONS IN DETERMINING ACREAGE ALLOTMENTS FOR RICE. Amends the Agricultural Adjustment Act of 1938 so as to make the following changes in the acreage allotment and marketing quota provisions for rice; restricts old producer allotments in any State to those with production history in that State; prevents a producer or a farm from becoming an old producer or farm by planting rice without an allotment; prevents a producer from becoming an old producer by reason of engaging in production jointly with another producer who contributes all of the allotment and receives credit for the entire production history on such allotment; permits the Secretary, under specified conditions, to divide a State into two areas and establish allotments on a producer basis in one area and on a farm basis in the other area; provides for pooling allotments of land acquired by agencies having the right of eminent domain, and use of the pooled allotments to establish allotments for other farms owned or acquired by the former owner of the lands so acquired; increases the marketing penalty from 50 to 65 percent of parity; and provides for the termination of previous quotas whenever current quotas are terminated, and makes clear that such termination does not forgive any penalty then due.

85TH CONGRESS
1ST SESSION

H. R. 4709

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1957

Mr. THOMPSON of Texas introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotment history.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 353 (b) of the Agricultural Adjustment Act
4 of 1938, as amended, be amended (1) by inserting in the
5 first sentence thereof the words "in the State" immediately
6 following the words "persons who have produced rice", (2)
7 by inserting in the second sentence thereof the words "in
8 the State" immediately following the words "persons who
9 will produce rice" and immediately following the words "but
10 who have not produced rice", and (3) by adding at the end
11 of subsection (b) a new sentence reading as follows: "The

1 planting of rice in 1957 or any subsequent year on a farm for
2 which no rice acreage allotment was established shall not
3 make the farm eligible for an allotment as an old farm or
4 the producers on the farm eligible for allotments as old pro-
5 ducers under this section: *Provided, however,* That by reason
6 of such planting the farm or the producers, as the case may
7 be, shall not be considered as ineligible for a new farm allot-
8 ment or new producer allotment, as the case may be, under
9 the preceding sentence of this subsection.”

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A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotment history.

By Mr. THOMPSON of Texas

FEBRUARY 11, 1957

Referred to the Committee on Agriculture

July 1, 1957

17. ADVISORY COMMITTEES. Passed over, on objection by Rep. Cunningham, Iowa, H.R. 7390, to amend the Administrative Expense Act so as to establish standards for certain advisory committees. p. 9537
18. TRANSPORTATION. Passed without amendment S. 937, to amend Sec. 4 of the Interstate Commerce Act so as to eliminate the necessity of ICC approval of certain rate publications. (p. 9537) This bill will now be sent to the President.
The Interstate and Foreign Commerce Committee reported with amendment H.R. 3233, to amend Sec. 22 of the Interstate Commerce Act so as to provide for transportation of Federal property free or at reduced rates (H. Rept. 677). p. 9579
19. FORESTRY. Passed with/ ^{out} amendment S. 45, to authorize the sale to the village of Central, N. Mex., of certain lands administered by the Forest Service which were formerly a part of the Ft. Bayard Military Reservation. A similar bill, H.R. 7520, was laid on the table. (pp. 9538-39) This bill will now be sent to the President.
Passed without amendment H.R. 3358, to supplement the land grant provisions of the Alaska Mental Health Enabling Act to permit the selection of certain public lands in Alaska; and H.R. 7864, to amend the Act of May 4, 1956 relative to the establishment of public recreational facilities in Alaska. p. 9539
20. PEANUTS. Passed as reported H.R. 6764, to amend the Act of June 24, 1934 so as to delete the requirement for reports from persons owning or operating peanut picking or threshing machines. The language of the bill was then substituted for the language of a similar bill, S. 609, which was passed. H.R. 6764 was laid on the table. p. 9540
21. ACCOUNTING. Passed with amendment H.R. 8195, to facilitate the payment of Government checks. (pp. 9542-43) This bill had been reported with amendment earlier by the Government Operations Committee (H. Rept. 666). (p. 9579)
22. FOREIGN AID. Agreed to S. Con. Res. 30, to print a compilation of studies and reports prepared by the Special Committee to Study the Foreign Aid Program. p. 9544
Rep. Hiestand urged establishment of a Joint Committee to study the foreign aid program because of the importance of such spending upon inflation and the budget. p. 9570
Rep. Hosmer urged an adequate mutual security program. pp. 9577-8
The Foreign Affairs Committee ordered reported with amendments S. 2130, the mutual security authorization bill. p. D602
23. ATOMIC ENERGY. Passed with amendments H.R. 7383, to provide indemnity and liability for nuclear accidents. pp. 9545, 9548, 9550-66
24. SURPLUS COMMODITIES. The Fisheries and Wildlife Subcommittee ordered reported with amendments to the Merchant Marine and Fisheries Committee H.R. 6959, to authorize the use of CCC surplus commodities to augment the food supplies for migratory waterfowl. p. D602
25. RICE. The Rice Subcommittee ordered reported with amendments to the Agriculture Committee H.R. 4709, to provide that rice acreage history not be developed by planters who plant without acreage allotments, and announced that a clean bill is to be introduced. p. D601

26. OLEOMARGARINE. A subcommittee ordered reported with amendments to the Armed Services Committee H.R. 912, to provide for the serving of oleomargarine or margarine in the Navy ration. p. D601

ITEMS IN APPENDIX

27. COTTON. Sen. Talmadge inserted an American Cotton Manufacturers Institute, Inc. statement of fundamentals regarding a United States Government cotton policy in which it "enunciated" certain basic provisions which the textile industry believes should be embodied in any new cotton program. pp. A5218-9
28. TRANSPORTATION. Sens. Wiley and Magnuson inserted award winning essays on, "The American Merchant Marine: Its Importance to the American Farmer-Miner-Manufacturer in World Trade." pp. A5220-1, A5256-7
29. FARM PROGRAM. Rep. Gathings inserted an editorial discussing the administration's farm program, and stating that "the strangest phase of the spectacle lies in the fact that Mr. Benson is so obviously concerned about the processors of farm commodities, rather than the farmers themselves." pp. A5222-3
Rep. Wharton inserted an article, "Says Government Spending Must be Reduced," setting forth the views of a N.Y. local farm bureau unit on the present farm situation and their reaction after "20-years of so-called farm programs." pp. A5223-4
30. PERSONNEL. Reps. Lane and Multer inserted their statements before the House Post Office and Civil Service Committee in support of legislation to provide for increased annuities for retired Federal employees. pp. A5223, A5246-7
31. POULTRY. Extension of remarks of Rep. Burdick in support of legislation for compulsory poultry inspection. pp. A5232-3
32. SECURITY. Sen. Cotton inserted an article analyzing the recommendations of the Commission on Government Security. p. A5243
33. INFLATION. Sen. Thye inserted an article, "Events May Force Action on Inflation" pp. A5243-4
34. INSECTICIDES. Rep. Patman inserted an article, "The Story of Insecticides," outlining the story of chemical insecticides and their effects on the human body. pp. A5244-5
35. STATEHOOD. Extension of remarks of Rep. Miller, Nebr., summarizing the history of Alaska and urging action on proposed Alaska statehood legislation. pp. A5249-51
36. INTEREST RATES; ELECTRIFICATION. Rep. Johnson criticized the proposed increase in REA loans and inserted various Dairyland Power Cooperative resolutions urging "stable and fair interest rates." pp. A5255-6

BILLS INTRODUCED

37. WHEAT QUOTAS. H.R. 8455 and H.R. 8456, by Rep. Anfuso, to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm; to Agriculture Committee.

85TH CONGRESS
1ST SESSION

H. R. 8490

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 1957

Mr. THOMPSON of Texas introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 353 (b) of the Agricultural Adjustment Act
4 of 1938, as amended, be amended (1) by inserting in the
5 first sentence thereof the words "in the State" immediately
6 following the words "persons who have produced rice", (2)
7 by inserting in the second sentence thereof the words "in
8 the State" immediately following the words "persons who
9 will produce rice" and immediately following the words "but
10 who have not produced rice", and (3) by adding at the end
11 of subsection (b) a new sentence reading as follows: "The

1 planting of rice in 1957 or any subsequent year on a farm for
2 which no rice acreage allotment was established shall not
3 make the farm eligible for an allotment as an old farm or
4 the producers on the farm eligible for allotments as old pro-
5 ducers under this section: *Provided, however,* That by reason
6 of such planting the farm or the producers, as the case may
7 be, shall not be considered as ineligible for a new farm allot-
8 ment or new producer allotment, as the case may be, under
9 the preceding sentence of this subsection.”

10 SEC. 2. Section 353 of the Agricultural Adjustment Act
11 of 1938, as amended, is amended by adding at the end
12 thereof a new subsection (f) reading as follows: “(f) Not-
13 withstanding any other provision of this section, the acreage
14 allotment established, or which would have been established,
15 for a farm or any part thereof which is removed from agri-
16 cultural production because of acquisition in 1955 or there-
17 after by any Federal, State, or other agency having a right
18 of eminent domain shall be placed in an allotment pool and
19 shall be used only to establish allotments for other farms
20 owned or acquired by the owner of the farm or any part
21 thereof so acquired by such agency: *Provided,* That such
22 owner must make application therefor within three years
23 after the end of the calendar year in which such farm or
24 any part thereof was removed from agricultural production:
25 *Provided further,* That the allotment so made for any farm,

1 including a farm on which rice has not been planted to any of
2 the five crops of rice preceding the crop for which the
3 allotment is made, after taking into consideration the allot-
4 ment acreage which was placed in the pool from the farm
5 or any part thereof acquired from the applicant, shall be
6 comparable with the allotments established for other farms
7 in the same area which are similar except for the past
8 acreage of rice.”

9 SEC. 3. Section 356 of the Agricultural Adjustment Act
10 of 1938, as amended, is amended (1) by adding at the
11 end of subsection (a) a new sentence reading as follows:
12 “Effective beginning with the 1958 crop, the rate of penalty
13 on rice shall be 65 per centum of the parity price per pound
14 for rice as of June 15 of the calendar year in which the
15 crop is produced.”, and (2) by adding at the end of such
16 section a new subsection (h) reading as follows: “(h)
17 Whenever, in any marketing year, marketing quotas are not
18 in effect with respect to the crop of rice produced in the
19 calendar year in which such marketing year begins, all mar-
20 keting quotas applicable to previous crops of rice shall be
21 terminated, effective as of the first day of such marketing
22 year. Such termination shall not abate any penalty previ-
23 ously incurred by a producer or relieve any buyer of the duty
24 to remit penalties previously collected by him.”

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

By Mr. THOMPSON of Texas

JULY 1, 1957

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued August 5, 1957
For actions of August 2, 1957
85th-1st, No. 138

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HIGHLIGHTS: (See Page 6).

SENATE

1. SMALL BUSINESS. Passed with amendment S. 2504, to extend the Small Business Administration for one year from July 31, 1957. pp. 12202-11
2. POULTRY INSPECTION. Senate conferees were appointed on S. 1747, to provide for the compulsory inspection of poultry and poultry products. House conferees have not been appointed. pp. 12237-40
3. TOBACCO. Sen. Cooper commended the Agriculture and Forestry Committee for postponing indefinitely consideration of S. 2569, to remove tobacco from the list of basic crops and deprive it of price support. p. 12243
4. ELECTRIFICATION. Sen. Neuberger inserted an item from Rep. Green's (Ore.) newsletter praising Sen. Morse for his leadership in the Hells Canyon fight. p. 12242
Sen. Kefauver inserted a table from the Chase Manhattan Bank showing an increase in the sources of energy supply in the U.S. in 1966, and showing no growth in hydro-electrification. p. 12243
5. FORESTS. Sens. Dworshak and Neuberger debated whether the Clearwater National Forest should be named the Bernard DeVoto National Forest. pp. 12191-2

6. EXPENDITURES; PERSONNEL. The Joint Committee on Reduction of Nonessential Federal Expenditures submitted its report on Federal employment and pay for June 1957. pp. 12186-90
7. PERSONNEL. Both Houses received from the Interior Department a proposed bill to authorize the training of Interior employees at public or private facilities; to Interior and Insular Affairs Committees. pp. 12186, 12292
8. FISCAL POLICY. Sen. Morse inserted an article, "George M. Humphrey Had a Great Fall," on the current economic situation and U.S. monetary policy. pp. 12245-7
9. LEGISLATIVE PROGRAM. Sen. Johnson stated that the calendar would be called Mon., Aug. 5, preceded by consideration of the conference report on S. 1314, to extend Public Law 480. (pp. 12184-5, 12234). He further stated the conference report on S. 469, the Klamath Indian bill, might also be considered at that time (p. 12240).
10. RECESSED until Mon., Aug. 5. p. 12248

HOUSE

11. WHEAT. Passed with amendments H.R. 8456, to amend the Agricultural Adjustment Act of 1938 so as to exempt certain wheat producers from liability under the Act where all the wheat crop is fed or used for seed or food on the farm where produced. (pp. 12267-82)
Agreed to the following amendments:
By Rep. Grant, to strike out all of Sec. 3 of the bill, which would have provided that where a State for 3 successive years plants an acreage to wheat in excess of 35,000 acres it shall be classified as a commercial wheat State and shall remain so unless planting drops to less than 25,000 acres for 3 successive years and the Secretary determines that it would permit more efficient administration of the wheat program to remove the State from the commercial category. pp. 12280-81
By Rep. Henderson, to exempt certain county institutions, as well as State institutions, from the restriction of raising not more than 30 acres of wheat to avoid penalties. p. 12281
Substituted the language of H.R. 8456 as passed for that of a similar bill, S. 959, which was then passed. H.R. 8456 was tabled. p. 12282
12. FARM PROGRAM. Rep. Hill defended the farm program against recent attacks, and cited statistics to indicate recent improvements in the farm situation. pp. 12286-87
13. THE AGRICULTURE COMMITTEE ordered reported the following bills: -p. D727
~~H.R. 580, with amendment, to authorize the exchange of certain land under the jurisdiction of the Forest Service with Mo.;~~
H.R. 8490, with amendment, to amend the Agricultural Adjustment Act of 1938 with respect to the establishment of rice acreage allotments;
H.R. 8508, with amendment, to provide two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties in Minn. and Iowa;
H.R. 5497, with amendment, to subject recreational and fish and wildlife development projects to certain conditions in order to receive Federal assistance under the Watershed Protection and Flood Prevention Act;

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued August 23, 1957
For actions of August 22, 1957
85th-1st, No. 153

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HIGHLIGHTS: Senate concurred in certain House amendments on supplemental appropriation bill, and further conference report was submitted. Several Senators discussed administration of REA. Sen. Watkins recommended transfer of certain meat-packing regulations to FTC. Rep. Hill urged revision of basic farm laws in second session. House committee reported rice acreage bill.

SENATE

1. SUPPLEMENTAL APPROPRIATION BILL, 1958. Agreed to the House amendments to the Senate amendments regarding poultry inspection, emergency conservation measures, and weather control (pp. 14210-11). Senate and House conferees were appointed for a further conference on two amendments not affecting this Department (pp. 14211, 14255). The House later received the conference report on these two amendments (pp. 14305).
2. MEAT PACKING. Sen. Watkins spoke in favor of S. 1356, to transfer certain functions under the Packers and Stockyards Act to the Federal Trade Commission. pp. 14249-52
3. ELECTRIFICATION. Sen. Barrett and several others debated the progress and administration of REA. pp. 14234-46
4. PERSONNEL. Passed with amendment S. 25, to provide that changes in pay of wage-board employees shall be effective not later than the beginning of the first pay period which begins on or after 30 days following the start of the survey. Agreed to an amendment by Sen. Carlson to provide that Saturdays and Sundays shall not be a part of the 30 days. pp. 14230, 14247-8

Sen. Johnston submitted an amendment which he intends to propose to S. 734, to revise the compensation schedules of the Classification Act. p. 14190

5. TRANSPORTATION. Agreed to the conference report on S. 939, relating to the rendering of transportation services to the Government at free or reduced rates under Sec. 22 of the ICC Act. Rejected, 19 to 62, a motion by Sen. Kefauver to postpone further action on the bill until Jan. 30, 1958. pp. 14213-28
(The main purpose of the bill is to limit the free or reduced rates to any time of war or national emergency.) This bill will now be sent to the President.
6. D. C. STADIUM. Agreed to the conference report on H. R. 1937, to authorize the construction, maintenance, and operation of a stadium in D. C. p. 14230
7. ATOMIC ENERGY. The Appropriations Committee reported with amendments H. R. 9379, the atomic energy appropriation bill for 1958 (S. Rept. 1080). p. 14187
8. FARM-CITY WEEK. The Judiciary Committee reported without amendment H. J. Res. 313, designating Nov. 22-28, 1957, as National Farm-City Week (S. Rept. 1103). p. 14188
9. WILDERNESS PRESERVATION. Sen. Thye inserted a Yugoslav National Home meeting resolution opposing S. 1176, the Superior Forest wilderness preservation bill, as being too restrictive. pp. 14190-1
10. PATENTS. A Judiciary Committee study, "The International Patent System and Foreign Policy," was ordered printed as S. Doc. 63. pp. 14248-9
11. LEGISLATIVE PROGRAM. Majority Leader Johnson announced that S. 1356, to transfer certain meat-packing regulation to FTC, is to be debated today, and that various other bills are to be considered in the near future, including S. 314, to assist the cotton textile industry to regain a proper share of the world market. p. 14231

HOUSE

12. RICE. The Agriculture Committee reported without amendment H.R. 8490, to establish rice acreage allotments, prevent the expansion of such allotments, and provide for a 65% penalty payment for rice produced by supported producers outside of their allotments (H. Rept. 1236). p. 14305
13. RESEARCH; LAND. Passed without amendment S. 1962, to convey a tract of USDA land near Bowie, Md. to the Perkins Chapel Methodist Church. This bill will now be sent to the President. p. 14275
14. FARM PROGRAM. Rep. Hill stated that everything about the farm program was not bad, inserted a column commenting on the increase in the prices farmers received, and urged that the House consider "fundamental changes in the approach toward the solution of our agricultural difficulties" in the second session. pp. 14292-3
15. PERSONNEL. Agreed to H. Res. 406, to provide for an investigation by the House Administration Committee of the Hatch Act and other restrictions on political participation by Federal employees. pp. 14280-2
16. WATER RESOURCES. Agreed to H. Con Res. 176, to print as a House Document Part II of the Central Valley Project Documents, comprising project operating documents, which had been reported by the House Administration Committee (H. Rept. 1232). pp. 14285, 14305

RICE ACREAGE ALLOTMENTS

AUGUST 22, 1957.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H. R. 8490]

The Committee on Agriculture, to whom was referred the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to make two technical adjustments in the law relating to rice acreage allotments and to provide for reassignment of such allotments when the land on which the allotment has previously been made is taken for public purposes and to increase marketing quota penalties.

Hearings were held on a bill (H. R. 4709) which dealt with only one aspect of the matter involved and comprised only section 1 of the bill herewith reported (H. R. 8490). In its report on H. R. 4709, and in the testimony of Department witnesses who appeared on that bill, the Department of Agriculture recommended that 2 other aspects of this matter should also be dealt with in the same bill and recommended that the bill be amended by adding 2 additional sections.

The committee followed the Department's recommendation in this matter and directed the chairman of the Rice Subcommittee to introduce a clean bill embodying the two additional sections recommended by the Department of Agriculture, which bill, H. R. 8490, is herewith reported.

Sections 1 and 3 of the bill make changes in the existing law relating to rice acreage allotments which are purely technical in nature. Unlike the laws relating to any other allotted crops, the laws relating to rice acreage allotments provide that such allotments may be made

either to the producer or to the farm and that the State may select which of the procedures it will follow. In the case of all other allotted crops, allotments are made only to the farm. The reason for this special provision in the rice laws is that in some areas it is not advisable to grow rice year after year on the same land, so that a producer is forced to move his plantings from place to place. Under the interpretation which has been given to existing law, it is possible for a rice producer who has an allotment as a producer in one State to go into a State which allots its rice acreage on the farm basis and demand and receive a rice allotment as an "old" producer, even though he has no history of rice production in the State and even though there is, therefore, no acreage available for him except that which is taken away from farms which have an established rice history in that State. Section 1 of the bill will correct the law so as to make this situation impossible. Section 1 also will amend the rice laws to provide (as the laws relating to other allotment crops do provide) that the planting of rice on a farm which does not have a rice acreage allotment will not make that farm eligible for an allotment as an "old" farm in any subsequent year.

Section 2 applies to rice a provision which already applies to other allotment crops making it possible for a farmer whose land has been retired from agricultural production because of acquisition by an agency having the power of eminent domain to obtain an allotment on other land owned or acquired by him within 3 years. The allotment which is removed from production by reason of the acquisition of the land for public purposes is placed in a pool and made available for purposes of reallocation to producers who have been thus displaced. The new allotment will not necessarily be the same as that which the producer previously had but will be "comparable with the allotments established for other farms in the area which are similar except for the past acreage of rice." This merely puts into effect for rice producers a provision which has been applicable to most other allotted crops for a number of years.

Section 3 increases the penalties on rice production in excess of marketing quotas from 50 percent to 65 percent of the parity price per pound, beginning with the 1958 crop. The purpose of this provision is to compel greater compliance with rice marketing quotas. The section also provides specific authority for termination of previous rice marketing quotas whenever marketing quotas are not proclaimed for any crop year and delineates the responsibility of producers and buyers thereunder. This provision is now being applied to rice under general authority contained in section 371 of the Agricultural Adjustment Act of 1938, as amended, and the new subsection added by section 3 merely clarifies this authority and applies it specifically to rice.

DEPARTMENTAL APPROVAL

Following is the letter from the Department of Agriculture reporting favorably on H. R. 4709 and recommending also the amendments which have been included in H. R. 8490.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington 25, D. C., June 10, 1957.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request for a report on H. R. 4709, a bill to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotment history.

This Department recommends the enactment of H. R. 4709, modified as indicated below.

H. R. 4709 would amend section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, so as to provide (1) that persons who have produced rice in any one of the preceding 5 years may qualify for an acreage allotment as "old" producers only if they have produced rice within the State during such period and (2) that the planting of rice in 1957 or any subsequent year on a farm for which no rice acreage allotment was established shall not make the farm eligible for an allotment as an "old" farm or the producers on the farm eligible for an allotment as "old" producers.

As the law now stands, any person who produced rice in any one of the preceding 5 years can, in a State where farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, qualify for an allotment as an "old" producer even though he did not produce rice in the State during the applicable base period. Also, under the present law, the planting of rice on a farm for which no rice acreage allotment was established will make the farm eligible for an allotment as an "old" farm or the producers on the farm eligible for an allotment as "old" producers. We do not feel that these situations should be permitted to exist and, therefore, recommend the enactment of H. R. 4709.

Since the so-called Barden amendment originally was enacted for tobacco, wheat, and cotton and subsequently extended by law to peanuts, we feel that similar provisions of law should also be extended to rice. Thus, we propose that H. R. 4709 be modified by adding thereto a new section 2 to read as follows:

"SEC. 2. Section 353 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (f) reading as follows: '(f) Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, for a farm which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish allotments for other farms owned or acquired by the owner of the farm so acquired by such agency: *Provided*, That such owner must make application therefor within three years after the end of the calendar year in which such farm was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which rice has not been planted to any of the five crops of rice preceding the crop for which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm acquired from the applicant, shall be comparable with the allotments established for other farms in the same area which are similar except for the past acreage of rice.'"

In order to more effectively discourage rice producers from overplanting their farm allotments and harvesting the excess acreage, which in subsequent years may adversely affect the allotments determined for other producers, and to provide for the termination of marketing quotas on previous crops of rice when quotas are not in effect on the current crop, we propose that H. R. 4709 be further modified by adding thereto a new section 3 to read as follows:

"SEC. 3. Section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by adding at the end of subsection (a) a new sentence reading as follows: 'Effective beginning with the 1958 crop, the rate of penalty on rice shall be 65 per centum of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.', and (2) by adding at the end of such section a new subsection (h) reading as follows: '(h) Whenever, in any marketing year, marketing quotas are not in effect with respect to the crop of rice produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of rice shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected by him.'"

Under existing law pertaining to marketing quotas on rice, there are no provisions for terminating quotas on previous crops whenever quotes on the current crop are terminated. The proposed new subsection (h) to be added at the end of section 356 of the Agricultural Adjustment Act of 1938, as amended, provides for such termination and makes clear that the termination would not relieve any person of any penalty on any previous crop which became due and payable prior to such termination. The language in the last sentence of the proposed new subsection (h) makes clear the privileges and liabilities of producers and buyers of rice upon termination of quotas.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

EARL L. BUTZ, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

* * * * *

SEC. 353. (a) * * *

(b) The State acreage allotment shall be apportioned to farms owned or operated by persons who have produced rice *in the State* in any one of the five calendar years immediately preceding the year for which such apportionment is made on the basis of past production of rice in the State by the producer on the farm taking into consideration the acreage allotments previously established in the State for such own-

ers or operators; abnormal conditions affecting acreage; land, labor, and equipment available for the production of rice; crop rotation practices; and the soil and other physical factors affecting the production of rice: *Provided*, That if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the Act, he may provide for the apportionment of the State acreage allotment to farms on which rice has been produced during any one of such period of years on the basis of the foregoing factors, using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for such owners or operators. Not more than 3 per centum of the State acreage allotment shall be apportioned among farms operated by persons who will produce rice *in the State* during the calendar year for which the allotment is made but who have not produced rice *in the State* in any one of the past five years, on the basis of the applicable apportionment factors set forth herein: *Provided*, That in any State in which allotments are established for farms on the basis of past production of rice on the farm such percentage of the State acreage allotment shall be apportioned among the farms on which rice is to be planted during the calendar year for which the apportionment is made but on which rice was not planted during any of the past five years, on the basis of the applicable apportionment factors set forth herein. *The planting of rice in 1957 or any subsequent year on a farm for which no rice acreage allotment was established shall not make the farm eligible for an allotment as an old farm or the producers on the farm eligible for allotments as old producers under this section: Provided, however, That by reason of such planting the farm or the producers, as the case may be, shall not be considered as ineligible for a new farm allotment or new producer allotment, as the case may be, under the preceding sentence of this subsection.*

* * * * *

(f) *Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, or a farm or any part thereof which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish allotments for other farms owned or acquired by the owner of the farm or any part thereof so acquired by such agency: Provided, That such owner must make application therefor within three years after the end of the calendar year in which such farm or any part thereof was removed from agricultural production: Provided further, That the allotment so made for any farm, including a farm on which rice has not been planted to any of the five crops of rice preceding the crop for which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm or any part thereof acquired from the applicant, shall be comparable with the allotments established for other farms in the same area which are similar except for the past acreage of rice.*

SEC. 356 (a) Whenever farm marketing quotas are in effect with respect to any crop of rice, the producer shall be subject to a penalty on the farm marketing excess at a rate per pound equal to 50 per centum of the parity price per pound for rice as of June 15 of the

calendar year in which such crop is produced. *Effective beginning with the 1958 crop, the rate of penalty on rice shall be 65 per centum of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.*

* * * * *

(h) *Whenever, in any marketing year, marketing quotas are not in effect with respect to the crop of rice produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of rice shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected by him.*



Union Calendar No. 487

85TH CONGRESS
1ST SESSION

H. R. 8490

[Report No. 1236]

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 1957

Mr. THOMPSON of Texas introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 22, 1957

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 353 (b) of the Agricultural Adjustment Act
4 of 1938, as amended, be amended (1) by inserting in the
5 first sentence thereof the words "in the State" immediately
6 following the words "persons who have produced rice", (2)
7 by inserting in the second sentence thereof the words "in
8 the State" immediately following the words "persons who
9 will produce rice" and immediately following the words "but
10 who have not produced rice", and (3) by adding at the end
11 of subsection (b) a new sentence reading as follows: "The

1 planting of rice in 1957 or any subsequent year on a farm for
2 which no rice acreage allotment was established shall not
3 make the farm eligible for an allotment as an old farm or
4 the producers on the farm eligible for allotments as old pro-
5 ducers under this section: *Provided, however,* That by reason
6 of such planting the farm or the producers, as the case may
7 be, shall not be considered as ineligible for a new farm allot-
8 ment or new producer allotment, as the case may be, under
9 the preceding sentence of this subsection.”

10 SEC. 2. Section 353 of the Agricultural Adjustment Act
11 of 1938, as amended, is amended by adding at the end
12 thereof a new subsection (f) reading as follows: “(f) Not-
13 withstanding any other provision of this section, the acreage
14 allotment established, or which would have been established,
15 for a farm or any part thereof which is removed from agri-
16 cultural production because of acquisition in 1955 or there-
17 after by any Federal, State, or other agency having a right
18 of eminent domain shall be placed in an allotment pool and
19 shall be used only to establish allotments for other farms
20 owned or acquired by the owner of the farm or any part
21 thereof so acquired by such agency: *Provided,* That such
22 owner must make application therefor within three years
23 after the end of the calendar year in which such farm or
24 any part thereof was removed from agricultural production:
25 *Provided further,* That the allotment so made for any farm,

1 including a farm on which rice has not been planted to any of
2 the five crops of rice preceding the crop for which the
3 allotment is made, after taking into consideration the allot-
4 ment acreage which was placed in the pool from the farm
5 or any part thereof acquired from the applicant, shall be
6 comparable with the allotments established for other farms
7 in the same area which are similar except for the past
8 acreage of rice.”

9 SEC. 3. Section 356 of the Agricultural Adjustment Act
10 of 1938, as amended, is amended (1) by adding at the
11 end of subsection (a) a new sentence reading as follows:
12 “Effective beginning with the 1958 crop, the rate of penalty
13 on rice shall be 65 per centum of the parity price per pound
14 for rice as of June 15 of the calendar year in which the
15 crop is produced.”, and (2) by adding at the end of such
16 section a new subsection (h) reading as follows: “(h)
17 Whenever, in any marketing year, marketing quotas are not
18 in effect with respect to the crop of rice produced in the
19 calendar year in which such marketing year begins, all mar-
20 keting quotas applicable to previous crops of rice shall be
21 terminated, effective as of the first day of such marketing
22 year. Such termination shall not abate any penalty previ-
23 ously incurred by a producer or relieve any buyer of the duty
24 to remit penalties previously collected by him.”

85TH CONGRESS
1ST SESSION

H. R. 8490

[Report No. 1236]

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

By Mr. THOMPSON of Texas

JULY 1, 1957

Referred to the Committee on Agriculture

AUGUST 22, 1957

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

16. SURPLUS COMMODITIES. Passed as reported H.R. 6959, to authorize the use of CCC surplus commodities to augment the food supplies for migratory waterfowl. p. 14784
17. NATURAL RESOURCES. Passed as reported S.J. Res. 35, to establish a National Conservation Anniversary Commission to commemorate the 50th anniversary of the first conference of State governors (pp. 14780-1). Senate conferees were appointed (14866-7).
18. RECREATION. Reps. Bow, Engle, and Boland objected to consideration of H.R. 5497, to authorize Federal assistance for certain fish and wildlife development under the Watershed Protection and Flood Prevention Act. p. 14781
19. WATER POLLUTION. Passed as reported H.R. 6701, granting consent to the Tenn. River Basin water pollution control compact. pp. 14781-3
20. RICE. Passed over, at the request of Rep. Byrnes, Wis., H.R. 8490, to establish rice acreage allotments, prevent the expansion of such allotments, and provide for a 65% penalty payment for rice produced by supported producers outside of their allotments. p. 14786
21. RICE; FISH. Passed over, at the request of Rep. Pelly, S. 1552, to authorize research to develop methods of producing fish commercially on flooded rice acreage. p. 14785
22. RECLAMATION. Passed as reported S. 1996, to approve the contract negotiated with the Casper-Alcove Irrigation District, and to provide that the excess-land provisions of the reclamation laws shall apply to the lands of the Kendrick Project, Wyo., but with 480 acres allowed rather than 160. pp. 14785-6
23. COTTON. Rep. Philbin commended passage of S. 314, to sell surplus cotton to U.S. mills at reduced prices, and inserted an article on the Textile Worker's Union proposal for compensatory payments to producers for the difference between the world price and the support price. pp. 14774-5
24. MARKETING. Rep. Osmer discussed the place of wholesalers in the distribution system and praised their contribution to our economic productivity. pp. 14775-6
25. FORESTRY. House conferees were appointed on H.R. 6322, to provide for delaying the submission of a report on the transfer of property of the Menominee Indians. Senate conferees have not been appointed. p. 14779
26. SOIL CONSERVATION. Rep. Polk inserted the program and newspaper comment on the 1957 World's Conservation Exposition and Plowing Contest at Peebles, Ohio. pp. 14800-3
27. COMMITTEE INVESTIGATIONS. The Rules Committee reported without amendment H. Res. 275, to authorize the Agriculture Committee to make studies overseas during the adjournment of the 85th Congress (H. Rept. 1264) (p. 14806). Rep. Poage defended the resolution, which is to be considered Aug. 29, by referring to the Public Law 480 program. (p. 14804).

ITEMS IN APPENDIX

28. REA LOANS. Extension of remarks of Sen. Johnson stating that R. M. Korth, president of the board of directors of the Karnes Electric Cooperative, had recently voiced strong condemnation of the proposal to increase interest rates charged by the Rural Electrification Administration and inserting a report of Mr. Korth's address. p. A7125
Extension of remarks of Sen. Johnson stating that the DeWitt County Electric Cooperative, Cuero, Tex., has "recently adopted a resolution commending the REA Administrator and asking that he retain full authority to administer the rural electrification program." pp. A7127-8
29. GRAINS. Sen. Langer inserted a letter from P. E. Paquette, president of the Minn. Terminal Elevator Ass'n, and an editorial opposing the proposal to change from the bushel to the hundredweight as a unit of measure. p. A7126
Rep. Morris inserted statistics furnished by this Department relating to wheat. pp. A7128-64
Extension of remarks of Rep. Jensen suggesting a "Do It Yourself Farm Association," and that corn be used to produce grain alcohol. pp. A7189-9
30. FARM PRICES. Extension of remarks of Rep. Marshall stating that "farmers are in trouble simply because since 1952 they have been taking a big pay cut." p. A7164
Sen. Langer inserted two GIA daily radio roundups discussing problems of the farmers in getting better prices and income. pp. A7165-6
31. ELECTRIFICATION. Sen. Kefauver inserted an editorial, "TVA Launched America's Present Electrical Age." p. A7167
32. PUBLIC LAW 480. Extension of remarks of Sen. Humphrey inserting the testimony of Paul Sayres, food distributor, before the Senate Agriculture and Forestry Committee on the policies and operations of Public Law 480. pp. A7171-2
33. PERSONNEL. Extension of remarks of Sen. Case, S. Dak., inserting an article, "Parallel Progression--Careers For Nonsupervisory Engineers and Scientists," and stating "it points out that many scientists and engineers have been led to leave their creative work..." pp. A7173-5
Extension of remarks of Rep. Wolverton opposing the adjournment of Congress until the pay bills have been finally acted upon. p. A7195
34. FEDERAL AID. Rep. May inserted a study of the Federal grants-in-aid to the State of Conn.. pp. A7176-7
35. PRICE SUPPORTS. Extension of remarks of Rep. Bow stating that the "Independent Farmers of Ohio are self-reliant people who oppose Government controls and subsidies in agriculture and big government in general." pp. A7185-6
36. COOPERATIVES. Rep. Knutson inserted two articles disavowing support of anti-co-op support by the Borden Company and the National Pickle Packers Ass'n. p. A7188
37. MEATPACKERS. Extension of remarks of Rep. Multer stating that he had erroneously referred to the fact that a complaint against the Giant Stores by the FTC had been dismissed, and that he should have said that the hearing examiner had recommended dismissal of the complaint. p. A7193

of years. Hearings have been held on that bill which would provide a Federal charter for a veterans organization. As of this date I have had no success whatever in getting the bill to the House floor for consideration. Therefore, I am not constrained at this time to permit a Federal charter being granted to a veterans organization for any purpose so long as I cannot get consideration for the bill I have before the committee.

Mr. CELLER. I assure the gentleman we would be very happy to give him every reasonable consideration on this bill. I do not know what the bill is.

Mr. GROSS. The answer I have been given is that Federal charters are not being approved. That is the answer I have received from the Committee on the Judiciary.

Mr. CELLER. No. I think the gentleman got the information that the Committee on the Judiciary at that particular time was flooded with many bills of this type. We wanted a breathing space so we could adequately consider these matters. Comes the next session and I can assure the gentleman he will be given very earnest consideration.

Mr. GROSS. Does it take from 1950 to 1957 to provide a breathing space for the committee? In other words, does it take some 7 years?

Mr. CELLER. Of course not. If the gentleman will let me know the nature of his bill, I will be very glad to give him proper consideration and to get some action.

Mr. GROSS. I am sure this is not an emergency measure, so under the circumstances, Mr. Speaker, I feel that I must ask unanimous consent that this bill be passed over without prejudice until the next session when consideration may also be given to the bill I have introduced.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SURVIVOR BENEFITS FOR MEMBERS OF CONGRESS

The Clerk called the bill (H. R. 8606) to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 6 (f) of the Civil Service Retirement Act is amended by striking out the words "or survivor of a Member."

(b) Section 10 (c) of such act is amended by striking out "If an employee dies after completing at least 5 years of civilian service, or a Member dies after completing at least 5 years of Member service", and inserting in lieu thereof the following: "If an employee or a Member dies after completing at least 5 years of civilian service."

(c) Section 10 (d) of such act is amended by striking out "If an employee dies after completing 5 years of civilian service or a Member dies after completing 5 years of Member service" and inserting in lieu thereof the following: "If an employee or a Member dies after completing at least 5 years of civilian service."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF COUNCIL BLUFFS, IOWA

The Clerk called the bill (H. R. 8928) to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city" (21 Stat. 171), is hereby amended by the insertion of a period immediately after "fifth principal meridian of Iowa", and by the deletion of all thereafter.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CODE OF ETHICS FOR GOVERNMENT SERVICE

The Clerk called House Concurrent Resolution 175.

There being no objection, the Clerk read the House concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following code of ethics should be adhered to by all Government employees, including officeholders:

CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.
2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.
3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.
7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
8. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
9. Expose corruption wherever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.

The House concurrent resolution was ordered to be engrossed and read a third

time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FISH FARMING

The Clerk called the bill (S. 1552) to authorize the Secretary of the Interior to establish a program for the purpose of carrying on certain research and experimentation to develop methods for the commercial production of fish on flooded rice acreage in rotation with rice field crops, and for other purposes.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

CITY OF LAS VEGAS, NEV.

The Clerk called the bill (S. 1645) to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Interior is authorized and directed to grant and convey to the city of Las Vegas, Nevada, without consideration, and subject to such conditions as the Secretary may deem necessary, perpetual easements for road widening purposes in two small strips of land in the city of Las Vegas, Nevada, owned by the United States (under the jurisdiction of the Fish and Wildlife Service, Department of the Interior), described as follows:

PARCEL NO. 1

The east 45 feet of the west 75 feet of the north 507 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

PARCEL NO. 2

A strip of land 10 feet wide in the northwest quarter northwest quarter of said section 30 having for its beginning corner a point 30 feet east and 30 feet south of the northwest corner of said section; thence north 89 degrees 23 minutes 45 seconds east with a line 30 feet south of and parallel with the north line of said section a distance of 869.42 feet (approximately) to the east line of the aforesaid land of the United States; thence south 13 degrees 41 minutes west 10.32 feet (approximately) to the southeast corner of said 10-foot strip herein described; thence south 89 degrees 23 minutes 45 seconds west with a line 40 feet south of and parallel with the north section line 866.87 feet (approximately) to a point 30 feet east and 40 feet south of the northwest section corner; thence north 10 feet to the beginning.

The above-described two parcels contain 0.68 acre, more or less.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CASPER-ALCOVA IRRIGATION DISTRICT

The Clerk called the bill (S. 1996) to approve the contract negotiated with the

Casper-Alcova Irrigation District, to authorize its execution, to provide that the excess-land provisions of the Federal reclamation laws shall not apply to the lands of the Kendrick project, Wyoming, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the contract with the Casper-Alcova Irrigation District, Kendrick project, Wyoming, approved by the District Board of Commissioners on February 26, 1957, which has been negotiated by the Secretary of the Interior pursuant to subsection (a) of section 7 of the Reclamation Project Act of 1939 (53 Stat. 1192; 43 U. S. C. 485f) is hereby approved, and the Secretary is hereby authorized to execute said contract on behalf of the United States.

SEC. 2. The excess land and antispeculation provisions of the Federal reclamation laws (act of May 25, 1926, sec. 46, 44 Stat. 636, 649, 43 U. S. C. sec. 423e) shall not apply to the lands of the Kendrick project, Wyoming, and any agreements heretofore made by any landowners of Kendrick project lands with the United States to conform their excess lands to such provisions may be disregarded by such landowners. The provisions of this section 2 are intended to meet the special conditions existing on the Kendrick project, Wyoming, and shall not be considered as altering the general policy of the United States with respect to the excess-land provisions of the Federal reclamation laws.

SEC. 3. The part of the cost of operation and maintenance of Semnole Dam and Reservoir and Alcova Dam and Reservoir of the Kendrick project, Wyoming, incurred by the United States for the calendar year 1958, which is properly allocable for payment by project irrigation water users, is hereby assigned to be repaid from Kendrick project power revenues.

With the following committee amendments:

Page 1, line 3, following the word "That" insert the words " , subject to the provisions of section 2 of this act."

Page 2, line 5, strike out the sentence: "The excess-land and antispeculation provisions of the Federal reclamation laws (act of May 25, 1926, sec. 46, 44 Stat. 636, 649, 43 U. S. C., sec. 423e) shall not apply to the lands of the Kendrick project, Wyoming, and any agreements heretofore made by any landowners of Kendrick project lands with the United States to conform their excess lands to such provisions may be disregarded by such landowners." and insert in lieu thereof: "The limitations on acreage and restrictions on delivery of water to excess lands under the Federal reclamation laws shall apply to the lands of the Kendrick project, Wyoming, except that 480 irrigable acres shall, in this instance, be substituted for 160 irrigable acres."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to approve the contract negotiated with the Casper-Alcova Irrigation District, to authorize its execution, and for other purposes."

A motion to reconsider was laid on the table.

RICE ACREAGE ALLOTMENTS

The Clerk called the bill (H. R. 8490) to amend the Agricultural Adjustment

Act of 1938, as amended, with respect to rice-acreage allotments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. May I ask what disposal was made of the bill S. 1552, Calendar No. 275?

The SPEAKER. The bill was passed over.

REMOVING LIMITATION ON CLAIMS ARISING OUT OF AIRCRAFT CRASH

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the next bill on the Consent Calendar (H. R. 8868) to remove the present \$1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the \$1,000 limitation on claims contained in the paragraph under the center heading "Claims" in title II of the Department of Defense Appropriation Act, 1958, shall not apply with respect to claims arising out of the crash on July 18, 1957, at Worcester, Mass., of an aircraft belonging to the United States and being operated on a routine training flight by a member of the Air National Guard while on a camp of instruction.

SEC. 2. No part of the amounts awarded under this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN REVISIONS OF THE IMMIGRATION AND NATIONALITY LAWS

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2792) to amend the Immigration and Nationality Act, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That subparagraph (B) of section 101 (b) (1) of the Immigration and Nationality Act is amended to read as follows:

"(B) a stepchild, whether or not born out of wedlock, provided the child had not reached the age of 18 years at the time the marriage creating the status of stepchild occurred; or"

SEC. 2. Section 101 (b) (1) of the Immigration and Nationality Act is amended by adding at the end thereof the following new subparagraphs:

"(D) an illegitimate child, by, through whom, or on whose behalf a status, privilege, or benefit is sought by virtue of the relationship of the child to its natural mother;

"(E) a child adopted while under the age of 14 years if the child has thereafter been in the legal custody of, and has resided with, the adopting parent or parents for at least 2 years: *Provided*, That no natural parent of any such adopted child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this act."

SEC. 3. Section 203 (a) (1) of the Immigration and Nationality Act is amended by striking out "him," and inserting in lieu thereof the following: "or following to join him."

SEC. 4. (a) On or before June 30, 1959, special nonquota immigrant visas may be issued to eligible orphans as defined in this section who are under 14 years of age at the time the visa is issued. Not more than two such special nonquota immigrant visas may be issued to eligible orphans adopted or to be adopted by any one United States citizen and spouse, unless necessary to prevent the separation of brothers or sisters.

(b) When used in this section, the term "eligible orphan" shall mean an alien child (1) who is an orphan because of the death or disappearance of both parents, or because of abandonment or desertion by, or separation or loss from, both parents, or who has only one parent due to the death or disappearance of, abandonment, or desertion by, or separation or loss from the other parent and the remaining parent is incapable of providing care for such orphan and has in writing irrevocably released him for emigration and adoption; (2) (A) who has been lawfully adopted abroad by a United States citizen and spouse, or (B) for whom assurances, satisfactory to the Attorney General, have been given by a United States citizen and spouse that if the orphan is admitted into the United States they will adopt him in the United States and will care for him properly and that the preadoption requirements, if any, of the State of the orphan's proposed residence have been met; and (3) who is ineligible for admission into the United States solely because that portion of the quota to which he would otherwise be chargeable is oversubscribed by applicants registered on the consular waiting list at the time his visa application is made. No natural parent of any eligible orphan who shall be admitted into the United States pursuant to this section shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

(c) Any visa which has been or shall be issued to an eligible orphan under this section or under any other immigration law to a child lawfully adopted by a United States citizen and spouse while such citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, or is temporarily abroad on business, shall be valid until such time, for a period not to exceed 3 years, as the adoptive citizen parent returns to the United States in due course of his service, employment, or business.

(d) The Attorney General may, pursuant to such terms and conditions as he may by regulations prescribe, adjust the status to that of an alien lawfully admitted for permanent residence, as of the date of his arrival in the United States, in the case of an alien who was paroled into the United States under section 212 (d) (5) of the Immigration

18. RICE. Passed without amendment H.R. 8490, to make two technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the land on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties. pp. 14914-5
19. ANTIDUMPING. Passed as reported H.R. 6006, to provide greater efficiency in the enforcement of the Antidumping Act, 1921. pp. 14918-23
20. CONSERVATION. Conferees were appointed on S.J.Res. 35, to establish a National Conservation Anniversary Commission to commemorate the 50th anniversary of the first conference of State governors (p. 14933). Senate conferees were appointed Aug. 28.
21. BUDGETING. Rep. Scott spoke favoring appropriations on an annual accrued expenditure basis. pp. 14936-7
22. FARM PROGRAM. Rep. Henderson made his observations with regard to accomplishments of this session of Congress, stating there were few bills that might be considered helpful or beneficial to the farming industry. pp. 14937-9
Rep. Vanik spoke on this session's legislative accomplishments, criticizing farm policy and administration of the soil bank program. pp. 14940-45

ITEMS IN APPENDIX

23. FARM PRICES. Sen. Langer inserted a CTA radio bulletin discussing farm prices and stating that farmers do not need "a chart to remind them of the cold, hard facts about making a living on the farm." pp. A7203-4
24. FOREIGN AID. Extension of remarks of Rep. Pelly supporting restoration of funds in the conference report on the mutual security bill. p. A7204
Extension of remarks of Rep. May favoring foreign aid funds on a sound economic basis with no waste and inserting an article, "Foreign Aid Cut Coming." p. A7207
25. TARIFFS. Rep. Cooper inserted a Treasury Department analysis of H.R. 9424, to amend certain administrative provisions of the Tariff Act of 1930 and related laws. pp. A7208-11
26. SOIL CONSERVATION. Extension of remarks of Rep. Metcalf stating that one of the most critical, and most challenging issues before this Congress is the great need for more adequate conservation legislation and inserting Frank M. Coffin's address outlining an approach to improving our program for tree planting and land utilization. pp. A7213-5
27. SURPLUS FOOD. Rep. Burdick inserted an article, "Surplus Food Could Supply Every Family," with statistics on approximate distribution per family of CCC's inventories. p. A7215
28. APPROPRIATIONS. Extension of remarks of Rep. Fogarty criticizing "...the apparently deliberate refusal of the Executive Office of the President's Bureau of the Budget to permit the executive agencies to spend, or even plan to spend, the sums of money appropriated by Congress...." pp. A7215-7

29. FARM PROGRAM. Extension of remarks of Rep. Cooley concerning the work of the House Committee on Agriculture, discussing some of the problems confronting the committee and "the present plight of American farmers," and criticizing the administration's farm program. pp. A7218-22
Rep. Multer inserted a 1956 report to his constituent's on the accomplishments of the 84th Cong., including criticism of the farm program. pp. A7247-50
Extension of remarks of Rep. Hill stating that "in agriculture particularly are we facing serious difficulties about which little is being done." pp. A7267-8
30. FARM MACHINERY. Sen. Langer inserted a statement, "The Facts Behind International Harvester Prices." pp. A7228-9
31. GOVERNMENT EXPANSION. Rep. Gwinn inserted an article, "Adverse Effects of Expanding Government," which is a condensation of a 9-part study made by the Legislative Reference Service of the Library of Congress on the adverse effects of high taxes, public housing, the "detrimental" effects of Federal credit agencies, with specific reference to CCC, REA, FHA, and FCA. pp. A7232-46
32. BUDGETING. Rep. Rogers inserted a letter to the editor favoring H.R. 8002, the accrued expenditures bill. pp. A7250-1
33. SOIL BANK. Rep. Breeding inserted a Comptroller General's letter clarifying the meaning of the word "producer" as used in the limitation on the funds made available for the acreage-reserve program under the Soil Bank Act. pp. A7263-4
34. IMPORTS. Extension of remarks of Rep. Mack stating that "several large plywood plants/ⁱⁿ the Pacific Northwest have announced they are closing their plants," and urging enactment of legislation that will place quota limits on imports. pp. A7276-7
35. ROADS. Sen. Neuberger inserted an article which quoted him as saying that the "killing of the billboard control bill was a 'victory for ugliness.'" p. A7282
36. LANDS. Sen. Long inserted an editorial in support of his bill which would create a commission to provide for Federal-State commissions and a National Land Study Board of Review to study problems of land ownership. p. A7285

BILLS INTRODUCED

37. WOOL. H.R. 9518, by Rep. Berry, H.R. 9519, by Rep. Budge, H.R. 9532, by Rep. Thomson, Wyo., H.R. 9535, by Rep. Ullman, and H.R. 9539, by Rep. Aspinall, to extend the National Wool Act of 1954 (68 Stat. 910); to Agriculture Committee. Remarks of Rep. Thomson, Wyo., pp. 14935-6.
38. FOOD ADDITIVES. H.R. 9521, by Rep. Haley, and S. 2880, by Sen. Holland, to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended, to define the term "chemical preservative" as used in such paragraph; to Interstate and Foreign Commerce Committee, House, and Senate Labor and Public Welfare Committee.
39. PROPERTY. H.R. 9522, by Rep. Keating, to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies; to Government Operations Committee. Remarks of author. pp. A7205-6

for STUB have been returned by him. I feel that this is so.

We all know that STUB will be the undoubted choice as Director General of the newly created International Atomic Energy Agency. His choice for this most important international position is one of the wisest selections made within my own personal memory, and that, in the Congress alone, goes back almost 30 years.

There is no need to review STUB's career. All of us are familiar with his long service on the Naval Affairs Committee and on its successor, the Armed Services Committee. We all know of his service since its creation on the Joint Committee on Atomic Energy, of which he was chairman during the 83d Congress.

To my mind—and I do not expect any disagreement from any Member of the House—STUB COLE possesses a peculiar genius for legislation. He has a precise and analytical mind which in many ways reminds us of philosophers of days gone by, who in their teachings and writings have formed the basis for the best things in the thinking of civilized peoples today.

But his genius is one that is tempered by a deep warmth, and a deep understanding of other men and of their problems. It is tempered also by a kindness which is almost inconsistent with his other great qualities.

Most of us can recall the days when the amendments to the Atomic Energy Act were on the floor, about 3 years ago. Most of us here in the House are not learned in the technology of atomic energy. Many of us are even unfamiliar with the terms which are used by the scientists in describing what they have done and what they hope to do. But can any one of us say that when "STUB" COLE completed his explanation of those amendments, and how they would affect the then Atomic Energy Act, he did not feel that he had had presented to him in the clearest and most understandable fashion one of the most complicated pieces of legislation which has ever been presented on the floor of this House?

While there is argument and disagreement among many Americans today as to what our role should be in international affairs, there can be no disagreement that we are irrevocably committed to a most important role in these affairs. If we must be so involved—and I am making no judgment at this time as to whether we should or not—must we not then arm ourselves in our international relations with the best minds, the broadest visions—and the most experienced people we can find?

The United States has done this in the selection of "STUB" COLE for Director General for the International Atomic Energy Agency. He will bring to that position the same qualities that have made him a great Member of Congress—and he will bring more than that. He will bring a broad culture, a wide and intelligent view of the atom in international affairs. And more than that, a sound technical background of our own and foreign nuclear energy programs.

The House of Representatives is losing "STUB" COLE. The country—and, in-

deed, the world—is gaining a leader of vision and courage.

He has my best wishes, and I am certain, the best wishes of all of the Members of the House of Representatives for success and happiness in his new undertaking.

(Mr. HÉBERT asked and was given permission to address the House for 1 minute.)

Mr. HÉBERT. Mr. Speaker, I want to join my good friend, the gentleman from Ohio, in pausing at this moment to pay tribute to the gentleman from New York, STERLING COLE. I feel certain that elaborate phrases and multiple superlatives would add little to the record which STERLING COLE has made as a Member of this body. The record which he himself has written and the affection which he holds in our hearts is beyond description.

Personally I have enjoyed a close friendship with STERLING COLE since I came to this body. It is refreshing to know that he will be back with us in 4 years, because it is merely a leave of absence he is taking. I think when he leaves us for that 4 years he will go with the knowledge that he has the good wishes and well meaning of every Member of this House on both sides of the aisle.

To STERLING COLE may I say, continue to serve your country well, but come back as soon as you can.

(Mr. COLMER asked and was given permission to address the House for 1 minute.)

Mr. COLMER. Mr. Speaker, I have just learned of this development in connection with our friend, the gentleman from New York [Mr. COLE]. I want to add my word of appreciation for the outstanding service of an outstanding Member of this House, whom I have had the privilege to serve with these many years.

STUB COLE, as he is affectionately known to his friends, can well retire from this body with the knowledge and the consciousness of having well performed his duties to his constituency and to his country as a Member of this body. I along with other Members have long observed with approval the sterling conduct of our colleague.

While I am sure that like a limited number of others of us he leaves this Chamber with some misgivings as to his accomplishments during the years of his service for the perpetuation of this splendid Republic and its institutions, he may be assured that he leaves with the respect and confidence of all of us. Mr. Speaker, I join with my colleagues in wishing him much success in his new field of endeavor, a job for which he is eminently qualified.

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I have mixed emotions on our colleague, STERLING COLE, leaving the Congress. I rejoice in the fact that he will be Director General of the International Atomic Energy Agency. It is a recognition of the man he is: One of character and great ability. He has few, if any, equals; and certainly no one is better qualified than

he for the tremendously important work he will be undertaking.

At the same time, I have a feeling of deep distress that he is leaving the Congress. It stems, at least in part, from a personal selfishness, a realization that I will not have this more or less fraternal association with someone for whom I have such an affectionate regard as I have for STERLING COLE. I will miss him personally.

The Congress will miss him. He came here in the 74th Congress when I did. Over the years I have been privileged to sit next to him as a member of our Committee on Armed Services. His contribution to the work of our committee, and to the work of the Congress as a whole, is beyond measure. Without the slightest fanfare, but in his quiet, painstaking manner he applied the keen, analytical mind with which he is endowed to the problems to be solved and questions to be resolved.

And he did likewise as a member of the Joint Committee on Atomic Energy. When that committee brought matters before us we all listened with respect to his views, well knowing his conclusions were based on facts, and they were facts that he gathered from painstaking study.

Yes, I rejoice in knowledge that such a competent man will head up such an important agency. I am also distressed that this Congress will be without him. I do not know how he can possibly be replaced. As a personal friend, I will miss my close association with him. As Members of Congress, we will miss him in our deliberations.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and also ask unanimous consent that all Members may be permitted to extend their remarks at this point in the Record with regard to STERLING COLE.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. JENKINS. Mr. Speaker, I want to join with the other Members who have heretofore spoken with reference to my good friend Hon. STERLING COLE.

I am a member of the Joint Committee on Atomic Energy of the House of Representatives. This is the committee upon which Mr. COLE has served for several years and this is the committee upon which he has demonstrated his great ability as a scholar and as a legislator.

I think that Mr. COLE knows more about atomic energy and its development than any man in America.

I am sorry to see him leave this Congress but he will enter a new field and I daresay that he will soon be considered as one of the most capable men in the world. We will always be proud of his ability and his accomplishments.

MUTUAL SECURITY APPROPRIATION ACT, 1958

(Mr. PASSMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PASSMAN. Mr. Speaker, there have been some erroneous figures reported in the press as to what happened yesterday in the conference between the House and Senate on the foreign-aid appropriation bill. The House had reduced the authorizing legislation by \$809,650,000. We changed only 3 items in the conference, those items totaling \$244 million. The House receded on that amount. The Senate receded on \$256,900,000. It was suggested that in order not to reflect unfavorably upon the prestige of the Senate, their conferees would like to indicate a higher figure, but we did not yield to the suggestion. However, the press indicated this morning that the Senate had yielded only on \$225,900,000. This was either because an influential Member of the other body had misstated facts, or else because of erroneous reporting, which resulted in that inaccurate figure being published. I certainly hope the press will check into what actually happened and correct their earlier figures, which did not accurately reflect the factual results of the conference.

REDUCTION IN GOVERNMENT SPENDING

(Mr. ABERNETHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABERNETHY. Mr. Speaker, I hope that in the months between now and reconvening of the Congress in January the administration will take to heart some of the lessons it should have learned during the present session.

I hope it has learned that the people of the United States and the Members of the Congress who reflect the will of the people want a Federal budget which is not a dollar larger than prudence and efficiency will bear.

The Budget Bureau and every department of the Government are now at work on the 1959 budget to be submitted to us next January. The administration has plenty of time between now and then to strip off all the fat and give us a budget of bone and muscle—and no more.

During this session this Congress has been engaged in a great struggle to reduce the swollen budget sent to us last January. With the Government so big it is difficult for Congress, in the time it has, to find all the places in which an excessive budget can prudently be cut. Actually, the reductions should be made in the agencies and departments. The cutting of the Federal budget for 1959 should be done right now—while it is in the making. It should be done by the administration itself.

I earnestly hope that President Eisenhower has given, or will now give, all the would-be spenders in the Government stern instructions to keep requests at the minimum. I also hope that news of the public demand for economy has seeped down into the agencies and that future requests for appropriations will contain no frills and no furbelows.

One thing can be promised for sure: If next January the Congress receives another inflated budget, the hue and

cry which will be aroused from one end of this Nation to the other will be such that the budget-cutting efforts we have been forced to make this year will seem pale by comparison.

When the Eisenhower administration assumed power in 1953 it immediately set about reducing the budget which had been bequeathed it by President Truman. I was in sympathy with the Eisenhower administration's early efforts to get the cost of Government down. In fact, I supported the effort.

Since then a case of the creeps has infested the administration. It lost its desire for economical Government. From every department comes demands for more and more money. On every hand the demands have been creeping upward. The result, as we all know, was the highest peacetime budget in the history of this Nation.

I say again, Mr. Speaker, that the time to cut the 1959 budget is not next year. The time to cut it is right now while it is being put together in the departments and in the Bureau of the Budget.

I cannot say now to what level the fiscal 1959 spending bill can be reduced. I cannot give a figure and perhaps no man can. But I do know this, the reduction which the Nation is demanding will not be satisfied with a reduction measured in millions. It must be in billions.

The time to do it is right now, while the budget is in the making.

CIVIL FUNCTIONS APPROPRIATIONS

(Mr. PORTER asked and was given permission to address the House for 1 minute.)

Mr. PORTER. Mr. Speaker, the President's apparent determination to block unbudgeted new starts for the Corps of Engineers is more than a threat to the welfare of the congressional districts where such starts are now slated by law. It is an affront to Congress and to our system of government by law.

The President is not above the law. His sworn duty is to obey and carry out our laws.

The American Law Division of the Library of Congress has advised me that impounding such appropriations has no lawful basis. Indeed, this is obvious. Congress authorizes and makes the appropriations. The President signs the bills. He is not allowed to veto particular items; yet that is what we have reason to believe he will again try to do, indirectly, by orders to the Bureau of the Budget.

In my congressional district only one unbudgeted new start is provided in the civil functions appropriations bill which just became law; namely, Fall Creek Reservoir, for which \$150,000 has been appropriated to begin planning. This is an \$18,800,000 flood control project, the need for which has been well established. The million dollars appropriated to start the great John Day Dam on the Columbia may also be held up, to the lasting detriment of the Pacific Northwest.

Is the President above the law? I do not believe he is.

THE TEXTILE INDUSTRY

(Mr. COFFIN, at the request of Mr. EDMONDSON, was given permission to extend his remarks at this point in the RECORD.)

Mr. COFFIN. Mr. Speaker, I want to acquaint the House with a problem of deepening intensity and widening scope which should occupy its most serious efforts as soon as the next session convenes. I want also to spell out the parliamentary hurdles that prevent this matter from being acted on during this session.

The problem relates to the textile industry. It is a problem for both North and South, for cotton grower and consumer, for the broker, the manufacturer, the merchant, and the exchanges.

Recognizing the emergency facing our cotton mills, some of us sought to face one of these problems by introducing legislation which would make cotton available to our own mills at such prices as would enable them to regain their share of the world market.

This legislation, introduced by Senator SMITH of Maine, passed in the other body last Friday. Knowing the desperate need for immediate help, I and my colleagues from Maine have explored every possible means of gaining consideration of the bill, even at this late date. Congressman MCINTIRE and I canvassed the leadership on both sides, including Speaker RAYBURN, Majority Leader MCCORMACK, and Minority Leader MARTIN. We found that under the practice of the House, S. 314 could not legitimately be placed on the calendar under suspension of the rules, since we could not guarantee that the legislation was of noncontroversial character. Moreover, S. 314 had not been considered by the committee, which had in fact tabled all cotton legislation until January 1958.

We then conferred at length with the chairman of the Agriculture Committee, the gentleman from North Carolina [Mr. COOLEY]. We found that it was, from a realistic viewpoint, impossible to convene the committee and expect quick agreement on S. 314, even if such agreement could bring the matter to the floor. In talking with the gentleman from North Carolina [Mr. COOLEY] and with members of the cotton subcommittee, we were assured that this matter would be again most seriously considered early in January with the objective of securing legislation which would end the present threat to our textile industry.

Therefore, Mr. Speaker, I urge that the distinguished Committee on Agriculture place the ever more serious cotton and textile problem first on its agenda next January.

RICE ACREAGE ALLOTMENTS

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, be amended (1) by inserting in the first sentence thereof the words "in the State" immediately following the words "persons who have produced rice", (2) by inserting in the second sentence thereof the words "in the State" immediately following the words "persons who will produce rice" and immediately following the words "but who have not produced rice", and (3) by adding at the end of subsection (b) a new sentence reading as follows: "The planting of rice in 1957 or any subsequent year on a farm for which no rice acreage allotment was established shall not make the farm eligible for an allotment as an old farm or the producers on the farm eligible for allotments as old producers under this section: *Provided, however,* That by reason of such planting the farm or the producers, as the case may be, shall not be considered as ineligible for a new farm allotment or new producer allotment, as the case may be, under the preceding sentence of this subsection."

SEC. 2. Section 353 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (f) reading as follows: "(f) Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, for a farm or any part thereof which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish allotments for other farms owned or acquired by the owner of the farm or any part thereof so acquired by such agency: *Provided,* That such owner must make application therefor within 3 years after the end of the calendar year in which such farm or any part thereof was removed from agricultural production: *Provided further,* That the allotment so made for any farm, including a farm on which rice has not been planted to any of the five crops of rice preceding the crop for which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm or any part thereof acquired from the applicant, shall be comparable with the allotments established for other farms in the same area which are similar except for the past acreage of rice."

SEC. 3. Section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by adding at the end of subsection (a) a new sentence reading as follows: "Effective beginning with the 1958 crop, the rate of penalty on rice shall be 65 percent of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.", and (2) by adding at the end of such section a new subsection (h) reading as follows: "(h) Whenever, in any marketing year, marketing quotas are not in effect with respect to the crop of rice produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of rice shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected by him."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POSTAL RATE INCREASE

(Mr. ALLEN of Illinois, asked and was given permission to address the House for 1 minute and to include a telegram.)

Mr. ALLEN of Illinois. Mr. Speaker, I have here a telegram sent by the Postmaster General to the majority leader of the United States Senate, Senator LYNDON JOHNSON, which reads as follows:

AUGUST 28, 1957.

Hon. LYNDON JOHNSON,
Majority Leader, United States Senate,
Washington, D. C.:

In the public interest, I respectfully appeal to you and all Members of the United States Senate to take such measures as are necessary to secure the passage by the Senate at this session the postal rate increase bill that will yield approximately half a billion dollars a year in new revenues, thereby providing revenues to reduce the current \$2 million a day operating loss to the Post Office Department. The anticipated \$686 million postal deficit for this fiscal year will bring the total losses of the 12 postwar years to more than \$6 billion. This amount, in most part, is an unconscionable subsidy to the large users of the mails at the expense of the American taxpayer. This legislation was passed by the House of Representatives weeks ago by the overwhelming vote of 256 to 129. Hearings have been held again and again and representatives of all affected groups have been heard in recent days. I respectfully urge the Congress to enact at this session this legislation, thereby contributing to the maintenance of a balanced Federal budget, providing an added safeguard against the necessity of an increase in the national debt ceiling and helping to bring about eventual tax relief for millions of taxpayers.

This telegram is signed by Arthur E. Summerfield, Postmaster General.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. BURDICK. Mr. Speaker, for 20 years I have done very little quoting in my extensions of remarks. But this session has kept up so long I am entirely out of ideas of my own and I therefore, ask unanimous consent to extend in three instances quotations.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

RESOLUTIONS OF KANSAS DEPARTMENT OF AMERICAN LEGION

(Mr. REES of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include two resolutions.)

Mr. REES of Kansas. Mr. Speaker, I believe Members of the House will be interested in reading two resolutions adopted by the Kansas Department of the American Legion at its State convention held at Hutchinson, Kans., August 23-25, 1957. Here is what they say:

Whereas the Armed Forces of the United States are continuing to discharge or release thousands of war veterans, many of whom are disabled and will need counseling, and employment assistance; and

Whereas a majority of these war veterans are young and had no civilian employment experience before their service with the Armed Forces, and many of them will seek the help of the Veterans Employment Service to obtain gainful employment: Now, therefore, be it

Resolved, That the Department of Kansas of the American Legion in regular convention in the city of Hutchinson, August 23-25, 1957, endorse this essential service and urge the Congress to appropriate sufficient funds to enable the Veterans Employment Service to do adequately the job so necessary to the security and welfare of the veterans; and be it further

Resolved, That a copy of this resolution be forwarded to the national adjutant, the director of the economic commission of the American Legion, for appropriate action at the national convention in Atlantic City, N. J., September 16-19, 1957, and that copies be forwarded to our delegation in Congress, and to our United States Senators, urging them to give this resolution appropriate consideration.

Whereas we are shocked by the announcement made by the United States Far East Command in Tokyo that Sp3c. William Girard of the United States Army will be surrendered to Japanese authorities for prosecution on a homicide charge while on duty on a military reservation occupied by the United States forces, and while discharging an assignment given him by his superior officers; and

Whereas the ratification on July 15, 1953, of the Status of Force Treaty of the North Atlantic Treaty Organization, and similar agreements with other nations, has deprived our servicemen of the traditional protection extended by our Constitution and enjoyed by United States servicemen on foreign soil, and now subjects our men to trial, imprisonment, and even the death penalty under foreign laws in foreign courts and prisons: Now, therefore, be it

Resolved, That the American Legion, Department of Kansas, petition our representatives in the Congress of the United States to support legislation which will nullify that part of the NATO treaty and similar agreements referring to the status of forces and which deprives American servicemen of the protection of the United States Constitution, when serving in more than 50 countries in the world; and be it further

Resolved, That a copy of this resolution be sent the Honorable ANDREW F. SCHOEPFEL and the Honorable FRANK CARLSON, our United States Senators, and our Representatives in Congress.

HON. STERLING COLE

(Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, since our colleague, STERLING COLE, first came to the Congress I have watched his career with the greatest of interest. I know of his tremendous work in the Committee on Naval Affairs and at the time of unification how he helped save the naval station and how he saved and kept intact the Marine Corps. I have watched his most marvelous work in the atomic energy field. I know everyone here rejoices that he has become such an outstanding expert in that field, and he will do much, I believe, to save the world from annihila-

tion, and to develop industry and help in that field. I wish him Godspeed. I am grateful to him and to his wonderful family for what they have contributed to us here in Washington. He will take to his new international position a brilliant mind and dedicated service.

CORRECTION OF ROLL CALL

Mr. SCOTT of Pennsylvania. Mr. Speaker, on rollcall No. 217 I am marked absent. I was present and voted "aye." I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. RAY. Mr. Speaker, on behalf of Congressman RALPH W. GWINN, of New York, I ask unanimous consent to insert in the Appendix of the RECORD a summary of a special study as to the adverse effects of expanding government on individual rights and free enterprise as it appears in the current issue of Nation's Business for September 1957.

The original study was prepared by the Legislative Reference Service of the Library of Congress at the request of Mr. GWINN and 15 other Members of the House. They are Bruce Alger, of Texas; Charles E. Bennett, of Florida; Frank T. Bow, of Ohio; Cliff Clevenger, of Ohio; W. J. Bryan Dorn, of South Carolina; Edgar W. Hiestand, of California; Donald L. Jackson, of California; August E. Johansen, of Michigan; Charles Raper Jonas, of North Carolina; Glenard P. Lipscomb, of California; William E. Miller, of New York; John R. Pillion, of New York; Errett P. Scrivner, of Kansas; Lawrence H. Smith, of Wisconsin; Wint Smith, of Kansas; and John Phillips, former Congressman.

I am informed that the cost of inserting this material which will take 14 $\frac{2}{3}$ pages in the Appendix is \$1,129.34. Nonetheless, on behalf of Mr. GWINN, it is felt that the widespread interest in the subject, as is indicated by the number of Members who sponsored the project, as well as its overwhelming importance to our country, justifies its insertion in the Appendix notwithstanding such cost.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL ANNOUNCEMENT

(Mr. CURTIS of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURTIS of Massachusetts. Mr. Speaker, I desire to state that I was necessarily absent at the time of the following four rollcall votes, and that had I been present I would have voted as follows:

Rollcall No. 202 of August 21, 1957, relating to the conference report on the supplemental appropriation bill for 1958. On a motion that the House recede and

concur on Senate amendment No. 6, striking out funds for an additional airport in or near Washington, D. C., had I been present my vote would have been "nay."

Rollcall No. 203 of August 21, 1957, relating to the same conference report. On a motion that the House recede and concur with Senate amendment No. 54, providing an additional \$475,000 for general construction under civil functions, Department of Defense, had I been present my vote would have been "nay."

Rollcall No. 204 of August 21, 1957, relating to the appropriation bill, 1958, for the Atomic Energy Commission. On final passage of the bill with an amendment, had I been present my vote would have been "yea."

Rollcall No. 205 of August 22, 1957, relating to a resolve for the printing of 500,000 additional copies of House Document No. 232, 84th Congress, known as The Capitol; the question was on agreeing to the resolution. Had I been present my vote would have been "nay."

OLIVER AGAINST HALE CONTESTED-ELECTION CASE (H. DOC. NO. 237)

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read and referred to the Committee on House Administration and ordered printed:

AUGUST 29, 1957.

The honorable the SPEAKER,
House of Representatives

SIR: I have the honor to lay before the House of Representatives the contest for a seat in the House of Representatives from the First Congressional District of Maine, James C. Oliver against Robert Hale, notice of which has been filed in the office of the Clerk of the House, and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1857, entitled "An act relating to contested-election cases," the Clerk has opened and printed the testimony in the above case, and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed together with notice of contest, and the answer thereto and original papers and exhibits have been sealed up and are ready to be laid before the Committee on House Administration.

Two copies of the printed testimony in the aforesaid case have been mailed to the contestant, and the same number to the contestee, which, together with the briefs of the parties, when received, will be laid before the Committee on House Administration, to which the case shall be referred.

Very truly yours,

RALPH R. ROBERTS,
Clerk, United States House of Representatives.

THE PRIVATE CALENDAR

The SPEAKER. Under the previous order of the House, the calling of bills on the Private Calendar is now in order.

The Clerk will call the calendar.

GLADYS ARBUTUS JOEL

The Clerk called the bill (H. R. 5222) for the relief of Gladys Arbutus Joel.

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that this bill may be recommitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

WOLFGANG JOCHIM HERMAN SCHMIEDCHEN

The Clerk called the bill (S. 1414) for the relief of Wolfgang Jochim Herman Schmiedchen.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ACME RAG & BURLAP CO. ET AL.

The Clerk called the bill (S. 1805) for the relief of persons and firms for the direct expenses incurred by them for fumigation of premises in the control and eradication of the khapra beetle.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. CATHERINE POCHON DIKE

The Clerk called the bill (H. R. 8139) for the relief of Mrs. Catherine Pochon Dike.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Catherine Pochon Dike, who lost United States citizenship under the provisions of section 407 of the act of October 14, 1940, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Mrs. Catherine Pochon Dike shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAFFA KAM

The Clerk called the bill (S. 281) for the relief of Jaffa Kam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jaffa Kam shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate

H. R. 8490

IN THE SENATE OF THE UNITED STATES

AUGUST 30, 1957

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 353 (b) of the Agricultural Adjustment Act
4 of 1938, as amended, be amended (1) by inserting in the
5 first sentence thereof the words "in the State" immediately
6 following the words "persons who have produced rice", (2)
7 by inserting in the second sentence thereof the words "in
8 the State" immediately following the words "persons who
9 will produce rice" and immediately following the words "but
10 who have not produced rice", and (3) by adding at the end
11 of subsection (b) a new sentence reading as follows: "The

1 planting of rice in 1957 or any subsequent year on a farm for
2 which no rice acreage allotment was established shall not
3 make the farm eligible for an allotment as an old farm or
4 the producers on the farm eligible for allotments as old pro-
5 ducers under this section: *Provided, however,* That by reason
6 of such planting the farm or the producers, as the case may
7 be, shall not be considered as ineligible for a new farm allot-
8 ment or new producer allotment, as the case may be, under
9 the preceding sentence of this subsection.”

10 SEC. 2. Section 353 of the Agricultural Adjustment Act
11 of 1938, as amended, is amended by adding at the end
12 thereof a new subsection (f) reading as follows: “(f) Not-
13 withstanding any other provision of this section, the acreage
14 allotment established, or which would have been established,
15 for a farm or any part thereof which is removed from agri-
16 cultural production because of acquisition in 1955 or there-
17 after by any Federal, State, or other agency having a right
18 of eminent domain shall be placed in an allotment pool and
19 shall be used only to establish allotments for other farms
20 owned or acquired by the owner of the farm or any part
21 thereof so acquired by such agency: *Provided,* That such
22 owner must make application therefor within three years
23 after the end of the calendar year in which such farm or

1 any part thereof was removed from agricultural production:
2 *Provided further*, That the allotment so made for any farm,
3 including a farm on which rice has not been planted to any of
4 the five crops of rice preceding the crop for which the
5 allotment is made, after taking into consideration the allot-
6 ment acreage which was placed in the pool from the farm
7 or any part thereof acquired from the applicant, shall be
8 comparable with the allotments established for other farms
9 in the same area which are similar except for the past
10 acreage of rice.”

11 SEC. 3. Section 356 of the Agricultural Adjustment Act
12 of 1938, as amended, is amended (1) by adding at the
13 end of subsection (a) a new sentence reading as follows:
14 “Effective beginning with the 1958 crop, the rate of penalty
15 on rice shall be 65 per centum of the parity price per pound
16 for rice as of June 15 of the calendar year in which the
17 crop is produced.”, and (2) by adding at the end of such
18 section a new subsection (h) reading as follows: “(h)
19 Whenever, in any marketing year, marketing quotas are not
20 in effect with respect to the crop of rice produced in the
21 calendar year in which such marketing year begins, all mar-
22 keting quotas applicable to previous crops of rice shall be
23 terminated, effective as of the first day of such marketing

1 year. Such termination shall not abate any penalty previ-
2 ously incurred by a producer or relieve any buyer of the duty
3 to remit penalties previously collected by him.”

Passed the House of Representatives August 29, 1957.

Attest:

RALPH R. ROBERTS,

Clerk.

85TH CONGRESS
1ST SESSION

H. R. 8490

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

August 30, 1957

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 15, 1958
For actions of May 14, 1958
85th-2d, No. 76

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HIGHLIGHTS: House passed mutual security authorization bill. Senate committee ordered reported bill to amend Federal Seed Act. Senate made Packers and Stockyards bill unfinished business.

SENATE

1. THE AGRICULTURE AND FORESTRY COMMITTEE ordered reported ~~the following bills:~~
~~S. 1939, without amendment, to amend the Federal Seed Act; S. 3076, without amendment, to authorize the transportation in the U. S. of live foot-and-mouth disease virus for research purposes; S. 3478, without amendment, to insure the maintenance of an adequate supply of anti hog cholera serum and hog cholera virus; H. R. 6765, without amendment, to repeal the prohibition against cotton-acreage reports based on farmers' planting intentions; H. R. 8490, with amendment, to make two technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the land on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties; and a clean bill in lieu of S. 672 and S. 2490, providing for the control of noxious weeds on Federal lands.~~ pp.
D413-14

2. WATERSHEDS. The Agriculture and Forestry Committee approved the following watershed projects: Ellison Creek, Miss., Little Pudding River, Oreg., Little Tallapoosa River, Ga., Mud Creek, N. C., Prairie Creek, Inc., and Swan-Buffalo Creek, N. C. p. D414

3. NOMINATIONS. The Agriculture and Forestry Committee reported the nominations of Marvin J. Briggs, of Ind., and Frank Stubbs, of Tex., to be members of the Federal Farm Credit Board. p. 7748
4. TEXTILES; WILDLIFE. The Interstate and Foreign Commerce Committee ordered reported with amendments H. R. 469, to provide protection of the public against misbranding and false advertising of the fiber content of textile fiber products, and S. 2447, to authorize studies of the effects of insecticides upon fish and wildlife. p. D414
5. CCC. Received from the Comptroller General an audit report on the Commodity Credit Corporation for fiscal 1957. p. 7733
6. EDUCATION. Both Houses received from HEW a proposed bill to "facilitate administration of the act authorizing cooperative research in education"; to H. Education and Labor and S. Labor and Public Welfare Committees. pp. 7733, 7853
7. TAXES. The Judiciary Committee reported with amendment S. 586, to extend the time for filing of claims under sec. 6420 of the Internal Revenue Code of 1954 for refund of taxes on gasoline used on farms between Jan. 1, 1956 and June 30, 1956 (S. Rept. 1577). p. 7737
8. STATEHOOD. Sen. Yarborough inserted a newspaper editorial urging statehood for Alaska, "The Case for Alaska. Reasons for Granting Statehood Summarized." p. 7743
9. FOREIGN TRADE. Sens. Wiley and Smathers spoke in favor of an expanded trade program between the U. S. and Latin America. pp. 7747, 7775-80
10. HUMANE SLAUGHTER. Sen. Neuberger inserted a release urging the use of humane methods in the slaughter of animals, "Protestants, Catholics Ask More Humane Animal Slaughtering." pp. 7765-66
11. POSTAL RATES. Sen. Johnston announced that "conferees on the postal rate and pay bill (H. R. 5836) have today completed their work, and we hope to have the report drafted and submitted to the Senate Monday." p. 7780
12. MEATPACKERS. S. 1356, to transfer certain functions under the Packers and Stockyards Act from this Department to the Federal Trade Commission, was made the unfinished business. p. 7795

HOUSE

13. FOREIGN AID. Passed, 259 to 134, with amendments, H. R. 12181, to extend the mutual security program. pp. 7796-7842
Agreed to an amendment by Rep. Feighan to provide that no assistance under the act shall be furnished to Yugoslavia unless the President reports his reasons therefor to Congress. pp. 7796-97
Rejected, 34 to 58, an amendment by Rep. Bentley which he stated would have provided "that the dollars loaned to a foreign government or to individuals under the revisions of title II, the Development Loan Fund, would have to be spent inside the United States, unless the delivered price of these commodities for the purchase of which the loan funds would be used exceeds 15 percent of a delivered price from foreign sources, unless these commodities are not available." pp. 7804-05

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 16, 1958
For actions of May 15, 1958
85th-2d, No. 77

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HIGHLIGHTS: Senate passed Packers and Stockyards bill. House passed State-Justice appropriation bill. Sen. Yarborough and Rep. Rutherford introduced and Sen. Yarborough discussed bills to permit increased allotments for production of extra-long staple cotton seed. Sen. Cooper introduced and discussed bill to extend availability of appropriations for emergency conservation measures.

HOUSE

1. APPROPRIATIONS. Passed, 319 to 51, with amendment H. R. 12423, the State, Justice, and Judiciary appropriation bill. Agreed to an amendment to raise the salary of the Commissioner of Immigration and Naturalization to \$20,000. Rejected an amendment to reduce the funds for the Civil Rights Division by \$342,000. pp. 7943-60
Authorized the Appropriations Committee to file a report on the Commerce Department appropriations bill before midnight Friday. p. 7941
2. WATER RESOURCES. Rep. Boykin inserted a statement by the Warrior-Tombigbee Development Ass'n on the need for improving those river systems. pp. 7971-2
Received from the Budget Bureau a plan for work of improvement in the Elm River watershed project, N. D. p. 7973
3. NEWSPRINT. Received from the Attorney General a report on the newsprint industry. p. 7972
4. LEGISLATIVE PROGRAM. Rep. McCormack announced that the Commerce appropriation bill would be considered Tues., May 20, and that H. R. 7999, providing statehood for Alaska, would be considered May 21 through 24. pp. 7942-3

5. ADJOURNED until Monday, May 19. p. 7972.

SENATE

6. MEATPACKERS. Passed S. 1356, to clarify the jurisdictions of this Department and the Federal Trade Commission for the enforcement of provisions of the Packers and Stockyards Act, after agreeing to the amendment of the Agriculture and Forestry Committee which was a substitute for the amendment of the Judiciary Committee. pp. 7877-82, 7883-7905

As passed the bill provides that this Department shall have exclusive jurisdiction with respect to livestock and poultry through the packing plant, including all transactions in livestock in commerce at posted yards and elsewhere; the Federal Trade Commission shall have exclusive jurisdiction with respect to products other than livestock, meats, meat food products, livestock products in unmanufactured form, poultry, and poultry products; and both agencies shall have concurrent jurisdiction with respect to meats, meat food products, livestock products in unmanufactured form, and poultry products after they have been prepared in form for distribution.

Rejected an amendment by Sen. Dirksen, in the nature of a substitute for the amendment of the Agriculture and Forestry Committee. He explained that his amendment was "identical to H. R. 9020 by Rep. Cooley" and "amends section 202 and inserts 'products,' so as actually to put the emphasis in the direction of things as distinguished from persons. It is the same as the Holland amendment, in that it expands the general concept of marketing agency and dealer and stockyards so far as commerce is concerned. It contains one provision which does not appear in the other measures, and that is with respect to oleo-margarine and retails sales, jurisdiction over which is placed in the Federal Trade Commission. The difference lies in the fact that at the retail level, the Secretary of Agriculture can request the Federal Trade Commission not only to make an investigation, which is the case under existing law, and make a report, which is the case under existing law, but to institute proceedings, which is an authority not carried in existing law." pp. 7891-7904

7. RICE; HOG CHOLERA. The Agriculture and Forestry Committee reported H. R. 8490, with amendments to make two technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the land on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties (S. Rept. 1585); and S. 3478, without amendment, to insure the maintenance of an adequate supply of anti-hog-cholera serum and hog-cholera virus (S. Rept. 1587). p. 7856

8. NOMINATIONS. Confirmed the nominations of Marvin J. Briggs, of Ind., and Frank Stubbs, of Tex., to be members of the Federal Farm Credit Board. p. 7855

9. WOOL. Sen. Langer inserted a N. Dak. Wool Growers Assoc. resolution favoring enactment of legislation to extend the National Wool Act, and opposing legislation to permit the duty-free entry of certain low grade wools. p. 7856

10. BRUCELLOSIS. Sen. Thye inserted a newspaper article explaining the work done in the fight against brucellosis at the WHO Brucellosis Center at the University of Minnesota, "University Spearheads Global Fight on Brucellosis." p. 7876

11. MINERALS STABILIZATION. Sen. Murray inserted a newspaper editorial on the "so-called domestic minerals stabilization plan, which the Secretary of the Interior unveiled in part before the Senate Interior and Insular Affairs Committee on April 28, 1958," which stated that the proposal was not popular with the mining industry. pp. 7862-63

RICE ACREAGE ALLOTMENTS

MAY 15, 1958.—Ordered to be printed.

Mr. ELLENDER, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany H. R. 8490]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments, having considered the same, report thereon with a recommendation that it do pass with amendments.

SHORT EXPLANATION

This bill, with the committee amendments, makes the following changes in the rice acreage allotment law:

(1) It restricts old producer allotments in any State to those with production history in that State;

(2) It prevents a producer or a farm from becoming an old producer or farm by planting rice without an allotment;

(3) It prevents a producer from becoming an old producer by reason of engaging in production jointly with another producer who was entitled to the allotment and received the entire production history on such allotment;

(4) It permits the Secretary to divide a State into two areas and make allotments on a producer basis in one area and on a farm basis in the other area;

(5) It provides for pooling allotments of lands acquired by agencies having the right of eminent domain, and use of the pooled allotments to establish allotments for other farms owned or acquired by the former owners of the lands so acquired;

(6) It increases the marketing penalty to 65 percent of parity (from 50 percent); and

(7) It provides for the termination of previous quotas whenever current quotas are terminated, and makes clear that such termination does not forgive any penalty then due.

THE COMMITTEE AMENDMENTS

The committee amendments add the provisions described in clauses (3) and (4) of the foregoing short explanation, and provide that all three changes made by the bill in the definition of "old" producer shall become applicable with production in 1958.

SECTION-BY-SECTION ANALYSIS OF BILL

Section 1

This section makes several technical amendments designed to exclude from treatment as old producers three classes of producers who are now regarded as old producers although they have zero production history.

Clauses (1) and (2) of section 1 restrict old producer basis farm rice acreage allotments to producers with rice production history "in the State." Farm acreage allotments for rice may be made, on the recommendation of the State committee, either (1) on the basis of the producers' rice production history, or (2) on the basis of the farms' rice production history. In 1955 Public Law 292, 84th Congress, was passed to prevent past rice production in one State from being used in the computation of an allotment made on a producer basis in another State. However, Public Law 292 did not insert "in the State" in the definitions of "old" and "new" producers. Therefore, at present in any producer-basis State a producer with no history in that State, but with history in another State, is considered to be entitled to an allotment as an old producer but to have no production history on which to base the allotment. Clauses (1) and (2) would therefore take the further step of preventing past rice production in another State from entering into the determination of a producer's status as an old or new producer.

Clause (3) of section 1, both as passed by the House and as reported by your committee, would prevent a producer or farm from acquiring old producer or farm status by planting rice without an allotment. Section 353 (c) (2) of the Agricultural Adjustment Act of 1938 now prevents acreage planted in excess of allotments from being taken into account in the computation of future allotments. Clause (3) would take the further step of preventing such acreage from entering into the determination of the status of the farm or the producer as an old farm or producer.

As amended by the committee amendment, clause (3) would accomplish its original purpose and would also exclude an additional class of producers who are now considered old producers even though they have no acreage history, namely those producers on a farm in a producer-basis State who did not contribute to the farm acreage allotment. The second paragraph of section 353 (c) (2) of the act provides that in determining the past production of the producers on a farm, the acreage shall be divided among them in the proportion in which they contributed to the allotment. Thus, for example, a landlord might share in producing rice on an allotment established on the basis of the tenant's production history. The history would go with the tenant when he left and the landlord would have no production history. He is, however, now considered as an old producer on account of his share in producing with the tenant. Under the committee amendment he would be considered a new producer.

Clause (3), as passed by the House, would have been effective with respect to rice planted in 1957 or any subsequent year. Clauses (1) and (2) would have been effective on enactment. Since all three clauses deal with the determination of old producer status, the committee amendment would make them all effective at the same time. Under the committee amendment a person could not in 1958 (or thereafter) obtain old producer status for the purpose of future allotments by planting in another State, or without an allotment, or on a producer allotment based on another producer's history; but if he had acquired old producer status prior to 1958 section 1 of the bill would not deprive him of that status.

The amendments made by section 1 are largely technical. Even though producers covered by them would not be considered old producers, the allotments they now receive are not likely to differ substantially from the allotments given new producers, since past acreage is the prime factor upon which old farm allotments are made. The amendments may result, however, in some change in eligibility for an allotment. The Secretary's regulations provide additional eligibility requirements for new producers and new farms, which are not applicable to old producers and old farms, the principal additional requirement being that the producer derive 50 percent or more of his livelihood from farming operations (or, in the case of a farm-basis allotment, from farming operations on the particular farm).

Section 2

This section would permit the Secretary to divide a State into two areas and make rice acreage allotments on a producer basis in one area and on a farm basis in the other area. At present the Secretary may make allotments on a producer basis in one State and on a farm basis in another State; but may not use both bases in a single State, even though the reasons for treating different States on different bases may be equally applicable to different areas within a State. The present need for this amendment arises from a situation in the river area of Louisiana. There are only about 100 rice farms in this area. Most of the producers are tenants, and in their normal crop rotation they move from farm to farm, frequently crossing parish lines. In the past the State committee has been able to take care of these producers out of the State reserve for new farms. This has resulted in a disproportionate share of the State reserve being used in this area, and it would be of benefit to producers in the whole State if this area could be placed on a producer allotment basis. In addition, there has been extensive industrial development in this area, which has increased the movement of tenants from one farm to another.

Section 3

This section extends a Barden amendment type provision to rice. It provides that rice acreage allotments on lands acquired by agencies having a right of eminent domain are to be pooled for use in establishing allotments for other farms owned by the farmers whose lands are so acquired. The allotments so established would be comparable with allotments established for similar farms in the area. The section applies only to lands removed from agricultural production as a result of such acquisition and only to those so removed in 1955 or thereafter. Allotments would be established from the pool only if

application is made within 3 years after the end of the calendar year in which removal from agricultural production occurs.

Section 4

This section (1) increases the marketing penalty on rice to 65 percent of parity (from 50 percent); and (2) provides for termination of previous quotas whenever current quotas are terminated. The latter provision would permit the sale without penalty, in the event of such termination, of rice which had been stored to avoid penalty. The section makes it clear, however, that the penalty would not be forgiven on any rice sold prior to such termination.

EXPENDITURE

Enactment of the bill should not result in any additional expenditure.

DEPARTMENTAL VIEWS

The Department of Agriculture assisted in the preparation of the committee amendments; and, while its formal views were not requested, it appeared to have no objection to the committee amendments. The Department's report on H. R. 4709, which was included in the House committee report on H. R. 8490, is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., June 10, 1957.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR CONGRESSMAN COOLEY: This is in reply to your request for a report on H. R. 4709, a bill to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotment history.

This Department recommends the enactment of H. R. 4709, modified as indicated below.

H. R. 4709 would amend section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, so as to provide (1) that persons who have produced rice in any one of the preceding 5 years may qualify for an acreage allotment as "old" producers only if they have produced rice within the State during such period and (2) that the planting of rice in 1957 or any subsequent year on a farm for which no rice acreage allotment was established shall not make the farm eligible for an allotment as an "old" farm or the producers on the farm eligible for an allotment as "old" producers.

As the law now stands, any person who produced rice in any one of the preceding 5 years can, in a State where farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, qualify for an allotment as an "old" producer even though he did not produce rice in the State during the applicable base period. Also, under the present law, the planting of rice on a farm for which no rice acreage allotment was established will make the farm eligible for an allotment as an "old" farm or the producers on the farm eligible for an allotment as "old" producers. We do not feel that these situations should be permitted to exist and, therefore, recommend the enactment of H. R. 4709.

Since the so-called Barden amendment originally was enacted for tobacco, wheat, and cotton and subsequently extended by law to peanuts, we feel that similar provisions of law should also be extended to rice. Thus, we proposed that H. R. 4709 be modified by adding thereto a new section 2 to read as follows:

"SEC. 2. Section 353 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (f) reading as follows: '(f) Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, for a farm which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish allotments for other farms owned or acquired by the owner of the farm so acquired by such agency: *Provided*, That such owner must make application therefor within three years after the end of the calendar year in which such farm was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which rice has not been planted to any of the five crops of rice preceding the crop for which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm acquired from the applicant, shall be comparable with the allotments established for other farms in the same area which are similar except for the past acreage of rice.'"

In order to more effectively discourage rice producers from overplanting their farm allotments and harvesting the excess acreage, which in subsequent years may adversely affect the allotments determined for other producers, and to provide for the termination of marketing quotas on previous crops of rice when quotas are not in effect on the current crop, we propose that H. R. 4709 be further modified by adding thereto a new section 3 to read as follows:

"SEC. 3. Section 356 of the Agricultural Admustment Act of 1938, as amended, is amended (1) by adding at the end of subsection (a) a new sentence reading as follows: 'Effective beginning with the 1958 crop, the rate of penalty on rice shall be 65 per centum of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced,' and (2) by adding at the end of such section a new subsection (h) reading as follows: '(h) Whenever, in any marketing year, marketing quotas are not in effect with respect to the crop of rice produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of rice shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected by him.'"

Under existing law pertaining to marketing quotas on rice, there are no provisions for terminating quotas on previous crops whenever quotes on the current crop are terminated. The proposed new subsection (h) to be added at the end of section 356 of the Agricultural Adjustment Act of 1938, as amended, provides for such termination and makes clear that the termination would not relieve any person of any penalty on any previous crop which became due and payable prior to such termination. The language in the last sentence of the

proposed new subsection (h) makes clear the privileges and liabilities of producers and buyers of rice upon termination of quotas.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

EARL L. BUTZ, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

SEC. 353. * * *

(b) The State acreage allotment shall be apportioned to farms owned or operated by persons who have produced rice *in the State* in any one of the five calendar years immediately preceding the year for which such apportionment is made on the basis of past production of rice in the State by the producer on the farm taking into consideration the acreage allotments previously established in the State for such owners or operators; abnormal conditions affecting acreage; land, labor, and equipment available for the production of rice; crop rotation practices; and the soil and other physical factors affecting the production of rice: *Provided*, That if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the Act, he may provide for the apportionment of *part or all of* the State acreage allotment to farms on which rice has been produced during any one of such period of years on the basis of the foregoing factors, using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for such owners or operators: *Provided further*, That if the Secretary determines that part of the State acreage allotment shall be apportioned on the basis of past production of rice by the producer on the farm and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated "producer administrative area" and "farm administrative area," respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area for producing rice in the other area, and each such area shall be composed of whole counties. Not more than 3 per centum of the State acreage allotment shall be apportioned among farms operated by persons who will produce rice *in the State* during the calendar year for which the allotment is made but who have not produced rice *in the State* in any one of the past five years, on the basis of the applicable apportionment factors set forth herein: *Provided*, That in any State in which allotments are established for farms on the basis of past production of rice on the farm such percentage of the State acreage allotment shall be apportioned among the farms on which rice

is to be planted during the calendar year for which the apportionment is made but on which rice was not planted during any of the past five years, on the basis of the applicable apportionment factors set forth herein. *In determining the eligibility of any producer or farm for an allotment as an old producer or farm under the first sentence of this subsection or as a new producer or farm under the second sentence of this subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c) (2) is either not to be taken into account in establishing acreage allotments or is not to be credited to such producer. For purposes of this section in States which have been divided into administrative areas pursuant to this subsection the term "State acreage allotment" shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word "State" shall be deemed to mean "administrative area," wherever applicable.*

(c) Notwithstanding any other provisions of this Act—

(1) If farm acreage allotments are established by using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for owners or operators, the State acreage allotment shall be apportioned among counties in the State on the same basis as the national acreage allotment is apportioned among the States and the county acreage allotments shall be apportioned to farms on the basis of the applicable factors set forth in subsection (b) of this section: *Provided, That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totalling the allotments for the counties in such area: Provided, That the State committee may reserve not to exceed 5 per centum of the State allotment, which shall be used to make adjustments in county allotments for trends in acreage and for abnormal conditions affecting plantings;*

* * * * *

(f) *Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, or a farm or any part thereof which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish allotments for other farms owned or acquired by the owner of the farm or any part thereof or acquired by such agency: Provided, That such owner must make application therefor within three years after the end of the calendar year in which such farm or any part thereof was removed from agricultural production: Provided further, That the allotment so made for any farm, including a farm on which rice has not been planted to any of the five crops of rice preceding the crop for which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm or any part thereof acquired from the applicant, shall be comparable with the allotments established for other farms in the same area which are similar except for the past acreage of rice.*

* * * * *

SEC. 356 (a) Whenever farm marketing quotas are in effect with respect to any crop of rice, the producer shall be subject to a penalty on the farm marketing excess at a rate per pound equal to 50 per centum of the parity price per pound for rice as of June 15 of the calendar year in which such crop is produced. *Effective beginning with the 1958 crop, the rate of penalty on rice shall be 65 per centum of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.*

* * * * *

(h) *Whenever, in any marketable year, marketing quotas are not in effect with respect to the crop of rice produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of rice shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected by him.*



Calendar No. 1615

85TH CONGRESS
2D SESSION

H. R. 8490

[Report No. 1585]

IN THE SENATE OF THE UNITED STATES

AUGUST 30, 1957

Read twice and referred to the Committee on Agriculture and Forestry

MAY 15, 1958

Reported by Mr. ELLENDER, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 353 (b) of the Agricultural Adjustment Act
4 of 1938, as amended, be amended (1) by inserting in the
5 first sentence thereof the words "in the State" immediately
6 following the words "persons who have produced rice", (2)
7 by inserting in the second sentence thereof the words "in
8 the State" immediately following the words "persons who
9 will produce rice" and immediately following the words "but
10 who have not produced rice", and (3) by adding at the end
11 of subsection (b) a new sentence reading as follows: "The

1 planting of rice in 1957 or any subsequent year on a farm for
 2 which no rice acreage allotment was established shall not
 3 make the farm eligible for an allotment as an old farm or
 4 the producers on the farm eligible for allotments as old pro-
 5 ducers under this section: *Provided, however, That by reason*
 6 *of such planting the farm or the producers, as the case may*
 7 *be, shall not be considered as ineligible for a new farm allot-*
 8 *ment or new producer allotment, as the case may be, under*
 9 *the preceding sentence of this subsection."* *In determining*
 10 *the eligibility of any producer or farm for an allotment as an*
 11 *old producer or farm under the first sentence of this subsec-*
 12 *tion or as a new producer or farm under the second sentence*
 13 *of this subsection, such producer or farm shall not be con-*
 14 *sidered to have produced rice on any acreage which under*
 15 *subsection (c) (2) is either not to be taken into account in*
 16 *establishing acreage allotments or is not to be credited to such*
 17 *producer."* *The amendment made by this section shall be*
 18 *applicable to the planting of rice in 1958 and subsequent*
 19 *years.*

20 SEC. 2. (a) Section 353 (b) of the Agricultural Ad-
 21 justment Act of 1938, as amended, is further amended—

22 (1) by inserting in the first proviso contained there-
 23 in, before the words "the State acreage allotment", the
 24 following: "part or all of";

25 (2) by inserting at the end of such first proviso a

1 colon and the following: "Provided further, That if the
 2 Secretary determines that part of the State acreage
 3 allotment shall be apportioned on the basis of past pro-
 4 duction of rice by the producer on the farm and part on
 5 the basis of the past production of rice on the farm, he
 6 shall divide the State into two administrative areas, to
 7 be designated 'producer administrative area' and 'farm
 8 administrative area', respectively, which areas shall be
 9 separated by a natural barrier which would prevent each
 10 area from being readily accessible to rice producers in
 11 one area for producing rice in the other area; and each
 12 such area shall be composed of whole counties"; and

13 (3) by adding at the end of such subsection (b)
 14 (as it would be amended by the first section of this Act)
 15 the following: "For purposes of this section in States
 16 which have been divided into administrative areas pur-
 17 suant to this subsection the term 'State acreage allotment'
 18 shall be deemed to mean that part of the State acreage
 19 allotment apportioned to each administrative area and
 20 the word 'State' shall be deemed to mean 'administrative
 21 area', wherever applicable."

22 (b) Section 353 (c) (1) of the Agricultural Adjust-
 23 ment Act of 1938, as amended, is amended by inserting
 24 immediately following the colon, the following: "Provided,
 25 That if the State is divided into administrative areas pursuant

1 to subsection (b) of this section the allotment for each admin-
 2 istrative area shall be determined by apportioning the State
 3 acreage allotment among counties as provided in this sub-
 4 section and totaling the allotments for the counties in such
 5 area:”.

6 (c) This section shall become effective for the 1958 and
 7 subsequent crops of rice: Provided, That if any State is
 8 divided into administrative areas for 1958 pursuant to sec-
 9 tion 353 (b) of the Act, as amended, acreage allotments
 10 heretofore established for farms in such areas shall be re-
 11 determined to the extent required as a result of such division:
 12 Provided further, That the allotment heretofore established
 13 for any farm shall not be reduced as a result of such redeter-
 14 mination. The additional acreage, if any, required to
 15 provide such minimum allotments shall be in addition to the
 16 1958 National and State acreage allotments.

17 SEC. 23. Section 353 of the Agricultural Adjustment Act
 18 of 1938, as amended, is amended by adding at the end
 19 thereof a new subsection (f) reading as follows: “(f) Not-
 20 withstanding any other provision of this section, the acreage
 21 allotment established, or which would have been established,
 22 for a farm or any part thereof which is removed from agri-
 23 cultural production because of acquisition in 1955 or there-
 24 after by any Federal, State, or other agency having a right
 25 of eminent domain shall be placed in an allotment pool and

1 shall be used only to establish allotments for other farms.
2 owned or acquired by the owner of the farm or any part
3 thereof so acquired by such agency: *Provided*, That such
4 owner must make application therefor within three years
5 after the end of the calendar year in which such farm or
6 any part thereof was removed from agricultural production:
7 *Provided further*, That the allotment so made for any farm,
8 including a farm on which rice has not been planted to any of
9 the five crops of rice preceding the crop for which the allot-
10 ment is made, after taking into consideration the allotment
11 acreage which was placed in the pool from the farm or any
12 part thereof acquired from the applicant, shall be comparable
13 with the allotments established for other farms in the same
14 area which are similar except for the past acreage of rice.”

15 SEC. 3 4. Section 356 of the Agricultural Adjustment
16 Act of 1938, as amended, is amended (1) by adding at the
17 end of subsection (a) a new sentence reading as follows:
18 “Effective beginning with the 1958 crop, the rate of penalty
19 on rice shall be 65 per centum of the parity price per pound
20 for rice as of June 15 of the calendar year in which the
21 crop is produced.”, and (2) by adding at the end of such
22 section a new subsection (h) reading as follows: “(h)
23 Whenever, in any marketing year, marketing quotas are not
24 in effect with respect to the crop of rice produced in the
25 calendar year in which such marketing year begins, all mar-

1 keting quotas applicable to previous crops of rice shall be
 2 terminated, effective as of the first day of such marketing
 3 year. Such termination shall not abate any penalty previ-
 4 ously incurred by a producer or relieve any buyer of the duty
 5 to remit penalties previously collected by him."

Passed the House of Representatives August 29, 1957.

Attest:

RALPH R. ROBERTS,

Clerk.

85TH CONGRESS
2D SESSION

H. R. 8490

[Report No. 1585]

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

AUGUST 30, 1957

Read twice and referred to the Committee on
Agriculture and Forestry

MAY 15, 1958

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 22, 1958
For actions of May 21, 1958
85th-2d, No. 80

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HIGHLIGHTS: See page 6.

HOUSE

1. APPROPRIATIONS. Received the conference report on H. R. 10746, the Interior appropriation bill for 1959, which includes Forest Service items (H. Rept. 1757). (pp. 8253-54, 8306) See table at the end of this Digest for information regarding Forest Service items, and excerpts from the conference report.
2. WOOL. The "Daily Digest" states as follows: "Committee on Agriculture: Subcommittee on Livestock and Feed Grains favorably reported to the full committee a committee print to extend the National Wool Act for 3 years, the provisions thereof to be included in an omnibus farm bill." p. D447
3. STATEHOOD. Agreed, 217 to 172, to a motion by Rep. Aspinall to begin consideration of H. R. 7999, the Alaska statehood bill, after the Speaker overruled a point of order by Rep. Cannon that the bill was not a privileged matter and the motion was out of order. pp. 8254-73

4. POSTAL RATES. Received the conference report on H. R. 5836, the postal rate and pay increase bill (H. Rept. 1760). (pp. 8274-93, 8307) Rep. McCormack announced that the conference report will be considered today, May 22. (p. 8293)
5. TRADE AGREEMENTS. The Ways and Means Committee reported without amendment H. R. 12591, to extend the authority of the President to enter into trade agreements (H. Rept. 1761). p. 8307
6. BUILDING SPACE. The Government Operations Committee ordered reported with amendment S. 2533, to authorize GSA to lease space for Federal agencies. p. D447
7. PERSONNEL. The Government Operations Committee ordered reported H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage. p. D447
8. LANDS. The Interior and Insular Affairs Committee ordered reported H. R. 6074 and H. R. 6075, to provide for the acquisition of lands for the U. S. required for the reservoirs created by the construction of the Randall and Oahe Dams on the Missouri River. p. D448
9. MUTUAL SECURITY. Received from the Manager, Development Loan Fund, letters relative to the establishment of loans in various amounts, pursuant to title II of the Mutual Security Act of 1954, for several foreign countries. p. 8306

SENATE

10. REA. Sen. Humphrey criticized the Secretary's actions under Reorganization Plan No. 2 of 1953 and asserted that they made the REA Administrator a figure-head. He announced that his Reorganization Subcommittee would hold hearings on this matter. He criticized Administration proposals on REA financing and inserted various resolutions from rural electric ass'ns opposing any increase in REA interest rates and articles from Rural Electrification magazine opposing such increases. pp. 8219-25
11. FARM PRICES. Sen. Johnston stated that cotton farmers were in difficulties and that the Administration had not "followed through" on recommendations of the Commission on Increased Industrial Uses, and urged the Senate to vote to re-pass the freeze measure over the President's veto. pp. 8233-4
12. SEEDS. Passed without amendment S. 1939, to make various amendments to the Federal Seed Act. pp. 8211-12
13. WEED CONTROL. Passed without amendment S. 3861, to provide for the control of noxious weeds on Federal lands. p. 8211
14. LIVESTOCK DISEASES. Passed without amendment S. 3076, to authorize the transportation in the U. S. of live foot-and-mouth disease virus for research purposes. p. 8211
Passed without amendment S. 3478, to insure the maintenance of an adequate supply of anti-hog-cholera serum and hog-cholera virus. pp. 8210-11
15. RICE. Passed as reported H. R. 8490, to make two technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the lands on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties. pp. 8234-5

Senator from New Jersey [Mr. CASE], and the Senator from Vermont [Mr. FLANDERS] would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

YEAS—88

Aiken	Hayden	Morton
Anderson	Hickenlooper	Mundt
Barrett	Hill	Murray
Beall	Hoblitzell	Neuberger
Bennett	Holland	O'Mahoney
Bible	Hruska	Pastore
Bricker	Humphrey	Payne
Bridges	Ives	Potter
Bush	Jackson	Proxmire
Capehart	Javits	Purtell
Carlson	Jenner	Revercomb
Carroll	Johnson, Tex.	Robertson
Case, S. Dak.	Johnston, S. C.	Russell
Chavez	Jordan	Saltonstall
Church	Kefauver	Schoeppel
Clark	Kennedy	Smathers
Cooper	Kerr	Smith, Maine
Cotton	Knowland	Smith, N. J.
Curtis	Kuchel	Sparkman
Dirksen	Langer	Stennis
Douglas	Lausche	Symington
Dworshak	Magnuson	Talmadge
Eastland	Malone	Thurmond
Ellender	Mansfield	Thye
Ervin	Martin, Iowa	Watkins
Frear	Martin, Pa.	Wiley
Fulbright	McClellan	Yarborough
Goldwater	McNamara	Young
Gore	Monroney	
Green	Morse	

NOT VOTING—8

Allott	Case, N. J.	Long
Butler	Flanders	Williams
Byrd	Hennings	

So the report was agreed to.

REPORTS ON ACREAGE PLANTED TO COTTON

The Senate resumed the consideration of the bill (H. R. 6765) to provide for reports on the acreage planted to cotton, to repeal the prohibition against cotton acreage reports based on farmers' planting intentions, and for other purposes.

Mr. ELLENDER. Mr. President, the Senate now has under consideration House bill 6765.

I wish to say that during the call of the calendar today, that bill was passed over. I have consulted with the majority leader and the minority leader, and I find that there is no objection to the consideration of the bill at this time. Let me say that the bill was reported unanimously by the Committee on Agriculture and Forestry.

The bill will make three changes in the law relating to cotton-acreage reports.

First, it would base the July cotton-acreage report on planted acreage, instead of acreage in cultivation. Planted acreage is used in reporting on other crops, is required in the administration of various laws, and is a more definite figure, more easily reported and better understood.

Second, it would advance the second cotton-acreage report from September 1 to August 1, which is the beginning of the marketing year.

Third, it would permit the Department of Agriculture to report on farmers' intentions to plant cotton, by removing the prohibition enacted in 1924. The Department presently makes such reports on other crops reported on.

The bill was requested by the Department of Agriculture, and would result in improved cotton-acreage reporting.

Mr. CASE of South Dakota. Mr. President, I am advised by the distinguished minority leader, the Senator from California [Mr. KNOWLAND], that there is no objection to the consideration and passage of House bill 6765 at this time.

Mr. ELLENDER. I thank the Senator from South Dakota.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 6765) was ordered to a third reading, read the third time, and passed.

FARM PRICES AND FARM PRODUCTION PROBLEMS

Mr. JOHNSTON of South Carolina. Mr. President, the declining position of the American cotton industry is a matter that has been of deep concern to me since President Eisenhower vetoed S. J. Res. 162, which would have continued existing cotton-acreage allotments and existing price levels on certain basic commodities.

The New York Times Sunday edition of May 11 carried a very enlightening article on this subject, which should be of great interest to everyone concerned with the plight of our Nation's farmers. Written by J. H. Carmichael, and featured in the business section of the Times, the article said: "Big cut in acreage likely in 1959 unless Congress acts this session." In his lead paragraph, Mr. Carmichael stated:

Unless Congress acts to amend the farm law before the end of this session, the prospects are that cotton growers will face another drastic cut in acreage allotments in 1959.

The article then goes on for several columns to detail the problems confronting the cotton farmer and the textile industry, and it also states that the "act establishing a minimum national cotton allotment for 1957 and 1958 of about 17,500,000 acres will expire this year." Mr. Carmichael then reports:

An effort already has been made in Congress to freeze price supports and acreage allotments for the 1959 crop, but this was vetoed by President Eisenhower.

I quote from this article because of its comprehensive and complete picture of the situation we are facing.

Mr. President, since conditions on cotton farms and in the cotton industry are getting worse, I believe it is in the national interest, at this time, to review the effort on the part of Congress to provide needed legislative relief for this vital industry, and to examine the administration's negative attitude thereon.

For the record, let it be restated that the Congress passed a joint resolution, Senate Joint Resolution 162, authorizing an immediate stay of reductions in price supports of certain commodities, and acreage allotments of rice and cotton crops; but that measure was vetoed by President Eisenhower on March 11. The President "Bensonized" the measure.

It is noteworthy that the President, in his veto message, stated that progress in solving farm problems has been made, in addition to other means, "through stepped-up research to find new uses for farm products."

I should like to comment on this section of the Presidential veto. Back in 1954, a Presidential bipartisan commission was created to develop, through research, increased industrial uses of agricultural products. The commission, duly created, appointed, and staffed, seriously undertook its mission, and, as of June 1957, filed its final report.

Let it be noted that the Commission's work was well done; its inquiry was exhaustive. It covered the field thoroughly. It developed pertinent and promising research leads, particularly those relating to possible new crops. The Commission's findings were such as to warrant the most enthusiastic and wholehearted support in the way of legislative implementation.

Perhaps the best comment I can make here is that there was, and has been, absolutely no "follow through" from the White House on the Commission's report, which was made back in June 1957. Several weeks ago, I submitted a bill of my own, together with a statement, to stimulate a program as outlined by the Commission. I did this in the absence of any follow-up action by the administration.

I believe this brief recounting of the development since the Commission filed its report last June is adequate commentary on what the crop raiser and agriculture generally can expect in the way of research from the White House. Apparently all the follow-through has been left at the Burning Tree Golf Course.

As pointed out in the Senate Agriculture Committee report supporting passage of the joint resolution which the President vetoed, the measure would have prevented another half billion dollars slash in farm income, which will occur in 1958. If the reduced price-support rates announced by the Secretary of Agriculture become effective.

In its report the committee frankly stated that Senate Joint Resolution 166 was a hold-the-line measure, and contended its enactment was necessary because the urgency of the economic situation makes it imperative that the drop in farm income be halted—not only for the benefit of the hard-pressed farmers, but also for the welfare of the economy as a whole. Long-range legislation is under consideration; but because of the diversity of views among the committee membership, farm leaders, and the administration, progress has been slow.

In the meantime, however, farm income needs to be protected; and that is what Senate Joint Resolution 162 purported to do. Recent history reveals that recessions and depressions usually start with declining farm incomes. Poor times on the farm spill over into the towns and the cities, and result in a large casualty list among small business. The committee aptly pointed out that 40 percent of the Nation's total labor force is engaged in producing, processing, and distributing farm products.

One of the telling points raised by the committee report is the following:

If the proposed new slash in farm income, of a half billion dollars, is permitted to take place, on the basis of past experience most of this loss in farm income will be retained by middlemen. Consumers will benefit little if at all.

Mr. President, a prosperous and healthy agricultural industry is essential to a great power. It is a warning sign when large numbers of people have to forsake the farms, as Americans have been doing in recent years. Agriculture is one of the prime supports of a strong national economy.

I am convinced that in his veto of this joint resolution, the President leaned on weak reeds of false reasoning. The evidence was to the contrary, and was in support of the Congress position that it was unwise and unsound to permit damaging cuts in price supports and acreage allotments to go into effect at this time.

Therefore, I am convinced that the provisions of Senate Joint Resolution 162 to temporarily halt any reduction in support prices and acreage allotments were eminently sound; that such "hold-the-line action" is sorely needed; and that cotton and other crops need to be safeguarded in this period of recession. I intend to do all in my power to bring about its enactment. The Presidential veto, in my opinion, was ill-advised, unwarranted, works a hardship on agriculture, is detrimental to the whole national economy, and robs the Agricultural Committees of the Congress of the breathing space and the necessary time to perfect permanent legislation.

This veto should be overridden, and the sooner the better. In this effort, I earnestly solicit the support and invite the collaboration of all true friends of agriculture on both sides of the aisle in this body.

So, Mr. President, I urge all Members of the Senate to vote to override the President's veto of Senate Joint Resolution 162.

RICE ACREAGE ALLOTMENTS

Mr. ELLENDER. Mr. President, I move that the Senate proceed to the consideration of calendar No. 1615, House bill 8490, to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 11, after the word "follows", to strike out "The planting of rice in 1957 or any subsequent year on a farm for which no rice acreage allotment was established shall not make the farm eligible for an allotment as an old farm or the producers on the farm eligible for allotments as old producers under this section: *Provided, however,*

That by reason of such planting the farm or the producers, as the case may be, shall not be considered as ineligible for a new farm allotment or new producer allotment, as the case may be, under the preceding sentence of this subsection." and insert, "In determining the eligibility of any producer or farm for an allotment as an old producer or farm under the first sentence of this subsection or as a new producer or farm under the second sentence of this subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c) (2) is either not to be taken into account in establishing acreage allotments or is not to be credited to such producer." The amendment made by this section shall be applicable to the planting of rice in 1958 and subsequent years."

On page 2, after line 19, to insert:

SEC. 2. (a) Section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by inserting in the first proviso contained therein, before the words "the State acreage allotment", the following: "part or all of";

(2) by inserting at the end of such first proviso a colon and the following: "Provided further, That if the Secretary determines that part of the State acreage allotment shall be apportioned on the basis of past production of rice by the producer on the farm and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated 'producer administrative area' and 'farm administrative area', respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area for producing rice in the other area, and each such area shall be composed of whole counties"; and

(3) by adding at the end of such subsection (b) (as it would be amended by the first section of this act) the following: "For purposes of this section in States which have been divided into administrative areas pursuant to this subsection the term 'State acreage allotment' shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word 'State' shall be deemed to mean 'administrative area', wherever applicable."

(b) Section 353 (c) (1) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting immediately following the colon, the following: "Provided, That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totaling the allotments for the counties in such area:".

(c) This section shall become effective for the 1958 and subsequent crops of rice: *Provided*, That if any State is divided into administrative areas for 1958 pursuant to section 353 (b) of the act, as amended, acreage allotments heretofore established for farms in such areas shall be redetermined to the extent required as a result of such division: *Provided further*, That the allotment heretofore established for any farm shall not be reduced as a result of such redetermination. The additional acreage, if any, required to provide such minimum allotments shall be in addition to the 1958 National and State acreage allotments.

On page 4, at the beginning of line 17, to change the section number from "2"

to "3", and on page 5, at the beginning of line 15, to change the section number from "3" to "4".

Mr. CASE of South Dakota. Mr. President, I am advised by the distinguished minority leader, the Senator from California [Mr. KNOWLAND], that there is no objection to the consideration and passage of the bill at this time.

Mr. ELLENDER. Mr. President, I ask unanimous consent that a short explanation of the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION OF H. R. 8490

This bill makes several technical corrections and amendments in the rice acreage allotment law designed to improve the administration of the program.

At present there are three types of producers who are regarded as old producers for allotment purposes, even though they have no production history in the State in which the allotment is to be made.

First, there is the producer who has produced rice in another State. Congress made it very clear in 1955 that production history in any State would count only toward an allotment in that State and not toward an allotment in any other State. However, at present a producer with history in any State is regarded as an old producer in all States.

Second, there is the producer who has produced rice without an acreage allotment. Again, the law now specifies that the acreage so planted shall not be counted in computing future allotments. However, even though such acreage does not count toward an allotment, it is counted in determining the producer's status as an old producer.

Third, there is the producer who has no production history himself, but who has produced rice jointly with another who, under the law, was entitled to the history resulting from such production. Thus, in a producer allotment State a landlord might share in the crop produced by a tenant on an allotment based on the tenant's previous rice production. The law now provides that in such a situation the tenant receives all of the production history. However, the landlord is now regarded as an old producer, even though he has no history.

In all three of these cases the bill provides that the producer having no production history would not be regarded as an old producer. This represents a technical correction rather than any substantial change, since past acreage is the prime factor upon which old producer allotments are made. The principal effect of the change is that it may result in slightly lessened eligibility for an allotment for these producers under the Secretary's regulations.

At present, rice acreage allotments are made in some States on the basis of the producer's previous rice acreage history, while in other States allotments are made on the basis of the farm's previous production history. The Secretary has authority to use whichever method is best adapted to the particular customs and situation in the State. He does not, however, have authority to use both of these bases within a single State, even though one basis may be clearly the best for the particular situation in one part of the State, while the other may be superior in the other part of the State. The bill would correct this by permitting the Secretary to divide a State into two areas and make allotments on a producer basis in one area and on a farm basis in the other area.

At present, provision is made in the case of cotton, peanuts, tobacco, and wheat for producers whose farms are acquired by agencies having the right of eminent domain

whereby such producers are given allotments on other farms owned by them. There is no such provision for corn or rice, so that rice is the only commodity subject to marketing quotas for which such provision has not been made. Section 3 of the bill makes such provision for rice.

The marketing penalty on rice is now 50 percent of parity. The bill would increase it to 65 percent and provide for the termination of previous quotas whenever current quotas are terminated, making it clear, however, that the penalty would not be forgiven on any rice sold prior to such termination.

The **PRESIDING OFFICER**. The question is on agreeing to the committee amendments. Without objection, the committee amendments will be considered en bloc.

The amendments were agreed to.

The **PRESIDING OFFICER**. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

Mr. JAVITS. Mr. President, may we have an explanation of the bill?

Mr. ELLENDER. Mr. President, the bill has been recommended by the Department of Agriculture. All of the language contained in the bill has been submitted by the Department.

Mr. JAVITS. I understand that the Senator from Louisiana is submitting for the **RECORD** a statement on the bill.

Mr. ELLENDER. Yes, I have obtained consent to have an explanation of the bill printed in the **RECORD**.

If the Senator from New York desires to have me read the explanation at this time, I shall do so. However, as I have pointed out, I have obtained unanimous consent to have the explanation printed in the **RECORD**.

Mr. JAVITS. Very well.

Mr. ELLENDER. The bill received the unanimous vote of the Committee on Agriculture and Forestry.

The **PRESIDING OFFICER**. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 8490) was read the third time, and passed.

DEFINITION OF PARTS OF CERTAIN TYPES OF FOOTWEAR

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 1646, H. R. 9291, and I should like to announce in advance that we do not expect to take action on that bill today.

The **PRESIDING OFFICER** (Mr. YARBOROUGH in the chair). The bill will be stated by title.

The **LEGISLATIVE CLERK**. A bill (H. R. 9291) to define parts of certain types of footwear.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment.

RECORD OF THIS CONGRESS

Mr. HUMPHREY. Mr. President, few sessions of Congress of record in recent years have acted with more vigor, more directness, and more success than has this session in meeting major national problems.

Although the end of the session is still several months away—I hope not quite that long, but it may well be—the record of the Congress is already being recognized and applauded as a record of accomplishment. I am sure that when the final score is entered, this will be known as one of the 20th century's 2 or 3 most important and most constructive sessions.

Credit is due many who have participated so diligently, foregoing partisanship and obstruction, to do what was needed for the Nation. In this body, certainly particular credit is due the man who has so wisely and so tirelessly labored to hold the Senate on a purposeful course of constructive action. The distinguished leader of the majority, the senior Senator from Texas [Mr. JOHNSON], has set a standard of responsible leadership which the Nation will not soon forget.

In the May 15, 1958, issue of the *Reporter* magazine, Carroll Kilpatrick has written an objective, timely appraisal of both the record of this Congress in dealing with the recession and of the constructive role of the leadership offered by Senator JOHNSON. I ask unanimous consent to have printed in the body of the **RECORD** this article entitled "Congress, Politics, and the Recession."

There being no objection, the article was ordered to be printed in the **RECORD**, as follows:

CONGRESS, POLITICS, AND THE RECESSION (By Carroll Kilpatrick)

In the absence of powerful and effective Executive leadership, political initiative is nearly always asserted in some form, good or bad, by Congress. But perhaps not since the post-Civil War Reconstruction Congress, during which the Republican radicals sought to destroy President Andrew Johnson, has power been so firmly centered on Capitol Hill as it is right now.

The Democratic machine under the direction of Senate Majority Leader LYNDON JOHNSON and Speaker of the House SAM RAYBURN has functioned with great smoothness. There has been less stripping of gears than in any Congress in two decades or more, and not since 1933 has Congress got through so much work in so short a time.

But there is a vast difference between 1958 and 1933. In that deep depression year, a topheavy Democratic Congress acted with dispatch on a host of bills that had been sent to it from the White House. The 1958 Congress has acted on its own responsibility and with an unusual sense of direction under the firm discipline of the two Texans, JOHNSON and RAYBURN.

When the Easter recess approaches, political correspondents in Washington usually prepare long articles on how little Congress has accomplished in its first 3 months. The opening months are generally spent on committee work, in preparing bills for the floor, and in jockeying for position. But when Congress went home this Easter it had already run up a considerable record of accomplishment. Instead of the desultory floor sessions to be expected in the first months, Congress this year met regularly and worked long hours. Under JOHNSON'S

prodding, the Senate often convened early and sat late, occasionally remaining in session until midnight.

"Urgency," said Senator JOHNSON on February 23, "is not a dirty word."

At the end of its first 3 months, the 2d session of the 85th Congress had taken 6 major antirecession steps. It had:

Approved the Johnson resolution urging the administration to accelerate civil public works to the greatest practicable extent.

Approved the Johnson resolution urging that military construction projects already planned and approved be accelerated to the greatest practicable extent.

Approved the Sparkman housing bill designed to stimulate the construction industry.

Approved the Gore bill to accelerate the Federal highway programs, which would create some 320,000 additional jobs.

Approved the omnibus rivers and harbors bill, which its sponsors said would create a potential of nearly 400,000 jobs.

Approved a farm bill designed to freeze farm price supports and acreage allotments for 1 year at the 1957 levels.

At this point, the administration suddenly became fearful that Congress was moving too fast. The White House sent word to the Capitol that Republicans must slow down the precipitate spending program initiated by the Democrats. Meade Alcorn, chairman of the Republican National Committee, denounced the frenzied spending plan thrown together in Congress—apparently forgetting that there had been substantial bipartisan support for all six measures.

Senator WILLIAM F. KNOWLAND, of California, and Representative JOSEPH W. MARTIN, Jr., of Massachusetts, the Republican leaders, issued a statement stressing the administration's sensible, well-planned ways to check the recession.

The Democrats could not have been more pleased by these reactions. The Republicans themselves seemed intent upon sharpening the lines in the picture their opponents were drawing of a timid, slow-moving administration. When Congress returned after the Easter recess, JOHNSON ordered that work should begin immediately on the three remaining features of the Democratic antirecession program:

The Fulbright bill to authorize Federal loans to communities for public-works projects.

The Monroney bill to expand the airport program.

The Anderson bill to authorize a new and far-reaching reclamation program.

TO SIGN OR NOT TO SIGN

When the bills passed before Easter reached his desk, President Eisenhower signed the housing and highway bills, though not without misgivings because of the large amounts of Federal money involved. But he vetoed both the farm bill, which ran directly contrary to his recommendations for more flexibility in fixing price supports, and the omnibus rivers and harbors bill.

Though it may be argued that Mr. Eisenhower was acting in the public interest in both vetoes, it is extremely doubtful that he was acting in the best interests of the Republican Party as far as next fall's elections are concerned. His farm-bill veto will be used by the Democrats to continue their attack on Secretary of Agriculture Ezra Taft Benson and his farm policies. The rivers and harbors veto will be used by Democratic candidates in districts that would have been affected to attack Republican water and resources policies.

To keep these issues alive, the Senate has resorted to a most unusual stratagem. It authorized the appropriate committees to hold hearings on the two veto messages.

There is practically no chance that Congress will override either veto. But how better to harass the President and his supporters? There was strong Republican support for the farm bill; the GOP Senate caucus voted 17-14 to request the President to sign it. There was equally strong Republican support for the rivers and harbors bill; Senator KNOWLAND even made a trip to the White House to plead for the President's approval. Be that as it may, Republicans will have to put up some kind of defense in the public hearings.

On another front, the Senate Finance Committee has been piling up evidence designed to show that the Republican tight-money policy helped bring on the recession. JOHNSON himself has attacked the administration for allowing the weight of burdensome money costs to slow down the forward march of the Nation's economy.

What does this Democratic plan of battle add up to? Although as political strategy it seems nothing short of brilliant, some doubt must remain as to whether it can provide an effective attack on this recession. Most of the works projects are unquestionably desirable. But their timing may be bad. They will have little effect this year, when, in the opinion of most economists, the recession will be at its worst. The projects will begin to take effect only in 1959 and 1960, when the natural forces of recovery may make inflation—not deflation—the primary problem. If President Eisenhower had fought for his school-construction program last year, when it had a chance of passing, it would just now be taking hold with beneficial effects on the economy.

Looking back, it is obvious that in asking for a tax cut earlier this year, Vice President Nixon displayed a keen awareness of his party's true political interest—and perhaps of the Nation's true economic interest. A tax reduction early this year might have helped slow down the recession at the time of its most rapid advance to date. It almost certainly would have put Republican candidates in a considerably stronger position to face the impending electoral campaigns.

THE LIMITS OF RESPONSIBILITY

The Employment Act of 1946, which established the Council of Economic Advisers, charged the United States Government with promoting maximum employment, production, and purchasing power. The act placed the primary responsibility on the executive branch, which has far better means than Congress of obtaining information on the state of the economy and of providing guidance for the development of fiscal and monetary policies.

Congress has many committees dividing up the work and is subject to manifold pressures. It is not the most competent agency to provide the unity of leadership needed to cope successfully and energetically with either inflation or recession.

Even if the program Congress has enacted under the leadership of LYNDON JOHNSON succeeds to some extent in softening or shortening the current recession, it is clear that the legislative branch can provide only stopgap temporary leadership in economic matters. In the long run, effective economic leadership must come from the executive branch. Senator JOHNSON is well aware of this. As he has remarked on a number of occasions, "I've read the Constitution."

FEDERAL AVIATION ACT OF 1958

Mr. MONRONEY. Mr. President, I send to the desk a bill to create an independent Federal Aviation Agency, to provide for the safe and efficient use of the airspace by both civil and military operations, and to provide for the regulation and promotion of civil aviation

in such manner as to best foster its development and safety.

I ask unanimous consent that the bill lie on the table for 24 hours, for the purpose of adding additional sponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table as requested.

The bill (S. 3880) to create an independent Federal Aviation Agency, to provide for the safe and efficient use of the airspace by both civil and military operations, and to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, introduced by Mr. MONRONEY (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

Mr. MONRONEY. Mr. President, at this time the bill is sponsored, in addition to myself, by the distinguished chairman of the Committee on Interstate and Foreign Commerce, the Senator from Washington [Mr. MAGNUSON], by Senators BIBLE, SMATHERS, and PAYNE, all three of whom are members of the Subcommittee on Aviation, and is further sponsored by Senators KUCHEL, CHAVEZ, GORE, YARBOROUGH, BARRETT, MANSFIELD, CLARK, SALTONSTALL, McNAMARA, CARROLL, JACKSON, HUMPHREY, STENNIS, and THURMOND.

For the second time in less than a month the Nation has been shocked by a collision between a military jet aircraft and a commercial airliner. I am reliably informed that at the very time the crash was occurring, only a few miles to the north of Washington two near misses occurred within the vicinity of the Washington Airport. Those near misses occurred within 1 hour of the fatal crash.

Each week there are dozens and dozens of near misses, which could result in great tragedy to the lives of hundreds of people.

They occur because of a nearly chaotic condition in the allocation of and the use of our airspace. They are multiplying as a result of the increasing use of high-speed jet aircraft, which fly faster than the speed of sound and which close with other aircraft at speeds so great that it is almost impossible for the human eye to see the approaching aircraft.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the Senator from Oregon.

Mr. NEUBERGER. I commend the Senator from Oklahoma for the leadership he has shown in the field of air legislation, and merely wish to ask him if I can be listed as a cosponsor of the bill.

Mr. MONRONEY. I am happy to have the Senator from Oregon become a cosponsor.

Mr. President, I ask unanimous consent that the name of the junior Senator from Oregon be placed on the bill as one of the sponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. I thank the Senator.

Mr. MONRONEY. Mr. President, as the air becomes more and more congested with jet aircraft flying at faster than the speed of sound and with the advent of jet airliners, which will carry up to 160 passengers, and fly at speeds of five to six hundred miles an hour, the need for immediate consideration of a common control of our airspace is apparent.

When we consider a 1,200-mile-an-hour fighter plane closing with a jet transport airplane flying at a speed of 600 miles an hour, that is a closing speed of 1,800 miles an hour. It is impossible for the eye to see or the human faculties to react quickly enough to avoid collisions that could occur at those speeds.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to my distinguished colleague, who is one of the cosponsors of the bill.

Mr. GORE. Has not the pilot of the military aircraft which was involved in the tragic accident of yesterday been quoted as saying he did not see the other plane and was not aware of the impending collision?

Mr. MONRONEY. The junior Senator from Tennessee is absolutely correct. This is one of the first instances in which the pilot of a jet airplane involved in a collision has survived the crash so as to describe the speed at which the planes came together. Certainly, there may be more such crashes unless we do something about eliminating the present divided control of airspace.

It is just as illogical to have the military exert almost complete freedom in the half of the airspace it uses, while the civilian airspace is rigidly controlled by CAA flight procedure, as it would be to have one department of Government controlling the red lights and another department controlling the green lights of the same traffic system. It does little good to be moving air traffic on green lights if the access of airspace is violated by the crisscrossing of high-speed military jet aircraft which are not so regulated as to be required to stay away from the heavily traveled main airlines which constitute our great civilian air network system.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MONRONEY. I yield.

Mr. GORE. With the large number of near misses reported, would not the law of averages indicate that, without some action, the country must expect in the ensuing months several more such catastrophes as that which just occurred?

Mr. MONRONEY. It is inevitable that we shall be reading of such crashes in greater numbers unless something is done, and done quickly, to give one agency of Government the right to control all the air space, to put all air traffic under a single control system, and to provide that airways that are traversed by hundreds and thousands of persons each month shall not be subject to the every-increasing hazards of unregulated military training flights, such as oc-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: House debated Alaska statehood bill. Senate committee ordered reported mutual security authorization bill.

HOUSE

1. RICE. Concurred in the Senate amendments to H. R. 8490, to make technical adjustments in the law relating to rice acreage allotments, to provide for re-assignment of such allotments when the lands on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties. This bill will now be sent to the President. p. 8408
2. PERSONNEL AWARDS. The Education and Labor Committee ordered reported with amendment H. R. 488, to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement. p. D458
3. RECLAMATION. A subcommittee of the Interior and Insular Affairs Committee ordered reported H. R. 8645, to amend the Reclamation Project Act regarding the repayment of contracts on reclamation projects. p. D458
4. STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. pp. 8409-12
5. MUTUAL SECURITY. Received from the President a semiannual report on the operations of the Mutual Security Program for July 1 through Dec. 31, 1957 (H. Doc. 368). p. 8408
6. FORESTRY. Received from Interior a proposed bill "to add certain public lands in California to the Pala Indian Reservation, the Pauma Indian Reservation, and

the Cleveland National Forest, and for other purposes"; to Interior and Insular Affairs Committee. p. 8414

7. PROPERTY. Received from GSA a proposed bill "to repeal that part of the act of March 2, 1889, as amended, which requires that grantors furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidence of title"; to Public Works Committee. p. 8414
8. LEGISLATIVE PROGRAM. Rep. McCormack announced that the Alaska statehood bill should be disposed of by Tues., May 27, to be followed by consideration of the bill to extend trade agreements authority. He stated the House will not be in session Fri., May 30. p. 8413
9. ADJOURNED until Mon., May 26. p. 8414

SENATE

10. MUTUAL SECURITY. The Foreign Relations Committee ordered reported with an amendment in the nature of a substitute H. R. 12131, to extend the mutual security program. The "Daily Digest" states that "as approved, the bill would provide a total of \$3,068,900,000, \$229 million less than administration requests, and \$110 million more than authorized by the House. Reductions made by the committee were in the Military Assistance and Defense Support Programs. The bill incorporates a development loan fund, and makes a number of other changes designed to improve the Mutual Security Program and other overseas activities of the U. S." p. D457

ITEMS IN APPENDIX

11. FARM PROGRAM. Extension of remarks of Rep. Hagen inserting 2 articles commenting on the farm problem, "The Farm Editor Says," and "Food Chains Try Hand At Supplying Own Meat." pp. A4775-6
12. COTTON. Rep. Hagen inserted an article, "Dual Support Goals Are Called Threat To Cotton." p. A4781
13. SMALL BUSINESS. Extension of remarks of Rep. Hill inserting excerpts from commendatory letters supporting the work and activity of the Small Business Administration. pp. A4781-2
14. POSTAL RATES. Rep. Murray inserted a summary of the main points of the conference report on the postal rate and pay bill. p. A4784
15. FOREIGN TRADE. Extension of remarks of Rep. Porter inserting a letter from the Pacific American Steamship Ass'n refuting alleged charges that imports of plywood have been harmful to the plywood industry. p. A4789

BILLS INTRODUCED

16. LANDS. H. R. 12662, by Rep. Berry, to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota; to Interior and Insular Affairs Committee.



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Congressional Record

PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, SECOND SESSION

Vol. 104

WASHINGTON, FRIDAY, MAY 23, 1958

No. 82

Senate

The Senate was not in session today. Its next meeting will be held on Monday, May 26, 1958, at 12 o'clock meridian.

House of Representatives

FRIDAY, MAY 23, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Luke 17: 5: And the apostles said unto the Lord, increase our faith.

Eternal God, who art always sensitive and responsive to every human appeal, we are coming unto Thee with our prayers of intercession for the needy.

We earnestly beseech Thee that we may not sin against the Lord by ceasing to pray for them.

Bless all whose very thoughts flow in sadness and who know the bitterness of want and carry heavy burdens, arising from the ills which make life so difficult.

Grant that those who walk in the shadow of doubt and despair, and whose sense of defeat often brings them to a standstill, may be inspired with a greater revelation and realization of Thy presence.

Hear us in the name of our blessed Lord, who was moved with compassion when he saw the multitude and went about uttering words of sympathy and comfort and performing works of mercy. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 19, 1958:

H. R. 2151. An act to provide for the temporary suspension of the import duties on

certain coarse wool, and to provide additional time for the Tariff Commission to review the customs tariff schedules;

H. R. 3604. An act to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes;

H. R. 7568. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to provide that service in the grade of inspector and the grade of private in the Fire Department of the District of Columbia shall be deemed to be service in the same grade for the purpose of longevity increases; and

H. R. 5544. An act to provide for the restoration to tribal ownership of all vacant and undisposed-of ceded lands on certain Indian reservations, and for other purposes.

On May 20, 1958:

H. R. 11470. An act to adjust the method of computing basic pay for officers and enlisted members of the uniformed services, to provide proficiency pay for enlisted members thereof, and for other purposes.

On May 22, 1958:

H. R. 7300. An act to amend section 15 of the District of Columbia Alcoholic Beverage Control Act.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 9291. An act to define parts of certain types of footwear.

EXPLOSION OF AJAX MISSILES

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. VANIK. Mr. Speaker, the devastating explosion of eight Ajax missiles at a Middletown, N. J., Nike site certainly

calls for an immediate congressional investigation on the public safety factor relating to the handling of this device. Too many people in 23 cities—the major population areas of America—live too close to this weapon to permit uncontrolled hazard.

The tragic horror in the unnecessary loss of nine lives is minute beside the calamity that might have occurred. It was only accidental that colossal loss of life did not result.

At the time the Nikes were installed in my community and throughout the Nation, assurances were made that there would be no hazard to community life. Every community now has grave doubts that Nike may produce hazards which may exceed security advantages. Only a prompt investigation by civilian as well as military authorities can restore public confidence.

CORRECTION OF RECORD

Mr. ASPINALL. Mr. Speaker, during the colloquy had between the gentleman from Virginia [Mr. SMITH] and myself on yesterday and which is recorded in the May 22 CONGRESSIONAL RECORD of the House in the third column on page 8366, I am misquoted on lines 16 and 17, which lines should read:

Mr. ASPINALL. The gentleman from Colorado does insist on his request.

I ask unanimous consent that the permanent RECORD be corrected in said line 16 and line 17 by striking the word "not" from said lines so that they read:

Mr. ASPINALL. The gentleman from Colorado does insist on his request.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CORRECTION OF ROLLCALLS

Mr. AYRES. Mr. Speaker, on rollcall No. 69 I am recorded as not being present. I was present and answered to my name, and ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, the RECORD and Journal will be corrected accordingly.

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, on rollcall No. 71 I am recorded as being absent. I was present and responded when my name was called. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, the RECORD and Journal will be corrected accordingly.

There was no objection.

Mr. ADAIR. Mr. Speaker, on rollcall No. 68 I am recorded as being absent. I was present and responded to the rollcall. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, the RECORD and Journal will be corrected accordingly.

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, on rollcall No. 70 I am recorded as being absent. I was present and responded when my name was called. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, the RECORD and Journal will be corrected accordingly.

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

REPORT ON MUTUAL SECURITY PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 368)

The SPEAKER laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States:

I am transmitting herewith the Thirteenth Semiannual Report on the operations of the Mutual Security Program for the period July 1 through December 31, 1957. This report was prepared by the Department of State, the Department of Defense, and the International Cooperation Administration.

Each element of the Mutual Security Program is essential to the security, the prosperity and the continued well-being of the United States.

The best and least expensive way to counter the threat of Sino-Soviet military forces is to take part in the collective defense of the free world. Collective strength, however, cannot be built out of individual weaknesses. All defense partners therefore must be strong.

Most funds for mutual security are used to help create defense strength—by providing weapons and training to those who need them and cannot otherwise obtain them. They also provide economic resources which help some of our partners to maintain needed defense forces without being crushed by the economic burden involved.

It is not enough, however, for the nations of the free world to be strong in their defenses. Strength, security, and justice are needed in other areas: in business and economic affairs; in political and social institutions; in opportunities for education; and in the growth of individuals in mind and spirit. Above all there must exist, in every country, a conviction held by the overwhelming majority of its citizens that hopes and desires for a decent life can be realized and fulfilled.

This is the kind of world in which we want to live. This is the kind of world for which we are willing to work, through the Mutual Security Program and in other ways.

This 6-month report shows how the United States—working in cooperation with many other nations at many different jobs—is making a positive contribution to world-wide peace and progress.

DWIGHT D. EISENHOWER

THE WHITE HOUSE, May 22, 1958.

AMENDING AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice-acreage allotments, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 11, strike out all after "follows:" over to and including line 9 on page 2 and insert "In determining the eligibility of any producer or farm for an allotment as an old producer or farm under the first sentence of this subsection or as a new producer or farm under the second sentence of this subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c) (2) is either not to be taken into account in establishing acreage allotments or is not to be credited to such producer." The amendment made by this section shall be applicable to the planting of rice in 1958 and subsequent years."

Page 2, after line 9, insert:

"Sec. 2. (a) Section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, is further amended—

"(1) by inserting in the first proviso contained therein, before the words 'the State acreage allotment', the following: 'part or all of';

"(2) by inserting at the end of such first proviso a colon and the following: 'Provided

further, That if the Secretary determines that part of the State acreage allotments shall be apportioned on the basis of past production of rice by the producer on the farm, and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated "producer administrative area," and "farm administrative area," respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area for producing rice in the other area, and each such area shall be composed of whole counties; and

"(3) by adding at the end of such subsection (b) (as it would be amended by the first section of this act) the following: 'For purposes of this section in States which have been divided into administrative areas pursuant to this subsection the term "State acreage allotment" shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word "State" shall be deemed to mean "administrative area", wherever applicable.'

"(b) Section 353 (c) (1) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting immediately following the colon, the following: 'Provided, That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totaling the allotments for the counties in such area.'

"(c) This section shall become effective for the 1958 and subsequent crops of rice: *Provided*, That if any State is divided into administrative areas for 1958 pursuant to section 353 (b) of the act, as amended, acreage allotments heretofore established for farms in such areas shall be redetermined to the extent required as a result of such division: *Provided further*, That the allotment heretofore established for any farm shall not be reduced as a result of such redetermination. The additional acreage, if any, required to provide such minimum allotments shall be in addition to the 1958 National and State acreage allotments."

Page 2, line 10, strike out "2" and insert "3."

Page 3, line 11, strike out "3" and insert "4."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 72]

Abbitt	Avery	Bosch
Addonizio	Barden	Boykin
Alexander	Barrett	Boyle
Anderson	Bass, Tenn.	Bray
Mont.	Baumhart	Breeding
Anfuso	Beamer	Brooks, La.
Arenda	Betts	Broomfield
Ashley	Blatnik	Buckley
Ashmore	Boland	Burdick
Auchincloss	Bolton	Bush

Public Law 85-443
85th Congress, H. R. 8490
June 4, 1958

AN ACT

72 Stat. 177.

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, be amended (1) by inserting in the first sentence thereof the words "in the State" immediately following the words "persons who have produced rice"; (2) by inserting in the second sentence thereof the words "in the State" immediately following the words "persons who will produce rice" and immediately following the words "but who have not produced rice", and (3) by adding at the end of subsection (b) a new sentence reading as follows: "In determining the eligibility of any producer or farm for an allotment as an old producer or farm under the first sentence of this subsection or as a new producer or farm under the second sentence of this subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c) (2) is either not to be taken into account in establishing acreage allotments or is not to be credited to such producer." The amendment made by this section shall be applicable to the planting of rice in 1958 and subsequent years.

Rice.
Acreage al-
lotments.
52 Stat. 61.
7 USC 1353.

Eligibility.

SEC. 2. (a) Section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by inserting in the first proviso contained therein, before the words "the State acreage allotment", the following: "part or all of";

(2) by inserting at the end of such first proviso a colon and the following: "*Provided further,* That if the Secretary determines that part of the State acreage allotment shall be apportioned on the basis of past production of rice by the producer on the farm and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated 'producer administrative area' and 'farm administrative area', respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area for producing rice in the other area, and each such area shall be composed of whole counties"; and

Administrative
areas.

(3) by adding at the end of such subsection (b) (as it would be amended by the first section of this Act) the following: "For purposes of this section in States which have been divided into administrative areas pursuant to this subsection the term 'State acreage allotment' shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word 'State' shall be deemed to mean 'administrative area', wherever applicable."

"State acreage
allotment".

(b) Section 353 (c) (1) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting immediately following the colon, the following: "*Provided,* That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totaling the allotments for the counties in such area:".

County ap-
portionment.

(c) This section shall become effective for the 1958 and subsequent crops of rice: *Provided,* That if any State is divided into administrative areas for 1958 pursuant to section 353 (b) of the Act, as amended, acreage allotments heretofore established for farms in such areas shall be redetermined to the extent required as a result of such

Effectivity.

division: *Provided further*, That the allotment heretofore established for any farm shall not be reduced as a result of such redetermination. The additional acreage, if any, required to provide such minimum allotments shall be in addition to the 1958 National and State acreage allotments.

SEC. 3. Section 353 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (f) reading as follows: "(f) Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, for a farm or any part thereof which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish allotments for other farms owned or acquired by the owner of the farm or any part thereof so acquired by such agency: *Provided*, That such owner must make application therefor within three years after the end of the calendar year in which such farm or any part thereof was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which rice has not been planted to any of the five crops of rice preceding the crop for which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm or any part thereof acquired from the applicant, shall be comparable with the allotments established for other farms in the same area which are similar except for the past acreage of rice."

Allotment
pool.

SEC. 4. Section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by adding at the end of subsection (a) a new sentence reading as follows: "Effective beginning with the 1958 crop, the rate of penalty on rice shall be 65 per centum of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.", and (2) by adding at the end of such section a new subsection (h) reading as follows: "(h) Whenever, in any marketing year, marketing quotas are not in effect with respect to the crop of rice produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of rice shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected by him."

Farm marketing
excess.
Penalty.
63 Stat. 1059.
7 USC 1356.

Approved June 4, 1958.